

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

INTERIM APPLICATION NO.2540 OF 2021

IN

CRIMINAL APPEAL NO.697 OF 1998

Nandlal Harinath Yadav] Applicant/Appellant.

Vs.

The State of Maharashtra]

(at the instance of Panvel Town]

Police Station)] Respondent.

.....
**Ms Deepa Punde i/b Mr. Sachin S. Punde, Advocate for
applicant/appellant.**

Mr.Arfan Sait, APP for State.

Mr. Y.R. Yele- Head Constable, Panvel City Police station, Navi Mumbai.

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**CORAM : SMT. SADHANA S. JADHAV &
PRITHVIRAJ K. CHAVAN, JJ.**

DATE : OCTOBER 20, 2021.

P.C.:

1. Amendment in prayer clause (A) be carried out forthwith.
2. Pursuant to Order dated 17th February 2021 thereby issuing non-bailable warrant against the appellant, present application is filed.
3. Learned Counsel for the appellant has filed an application seeking relief of recalling non-bailable warrant issued against the appellant. The

appellant is present before the Court. It is submitted that infact, the appellant had contacted his Advocate Mr.Vishwakarma and at that time, he was informed by the lawyer that the appeal is concluded. The appellant happens to be a Truck driver by profession. It is submitted that it is in the circumstances that he could not cause his appearance before the Court. The appellant undertakes to remain present before this Court at the time of final hearing of the appeal.

4. In view of this, we recall our order dated 17th February 2021 of issuing non-bailable warrant against appellant. Hence, application is allowed in terms of prayer clause (A).

5. The matter be listed for final hearing on 24th November 2021. The appellant shall remain present before this Court.

6. The appellant shall cause his appearance before the Sessions Court at Raigad, Alibaug on 30th October 2021 and 10th November 2021.

7. Registrar shall mark his presence in Sessions Case No.123 of 1996 (C.R.No.221 of 1995).

8. The application is disposed of.

[PRITHVIRAJ K. CHAVAN, J.]

[SMT. SADHANA S. JADHAV, J.]