

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

CRIMINAL WRIT PETITION NO. 1339 OF 2020

Parigha Amol Mayekar	...Petitioner
Versus	
The State of Maharashtra & Anr.	...Respondents

Mr. Aniket Gawand for the Petitioner

Ms. Anamika Malhotra, A.P.P for the Respondents–State

CORAM : REVATI MOHITE DERE, J.
THURSDAY, 7th APRIL 2022

P.C. :

1 Heard learned counsel for the parties.

2 By this petition, the petitioner seeks cancellation of the non-bailable warrant issued by the trial Court vide order dated 11th February 2020. The petitioner has also sought two weeks time to furnish surety.

3 Vide order dated 11th March 2022, this Court stayed the non-

bailable warrant issued by the trial Court vide order dated 11th February 2020 for a period of two weeks to enable the petitioner to furnish surety as per the order dated 7th July 2018.

4 Perused the papers. The petitioner has been charge sheeted for the alleged offences punishable under Sections 408, 420, 465, 468, 471, 120(B) of the Indian Penal Code. The petitioner was granted bail vide order dated 7th July 2018 by the learned Additional Sessions Judge, Greater Bombay on certain terms and conditions. Whilst enlarging the applicant on bail, the learned Sessions Judge granted provisional cash bail for a period of eight weeks, within which the applicant was to furnish surety. As the petitioner failed to furnish surety, the learned Judge was constrained to issue non-bailable warrant.

5 *Prima facie*, no fault can be found in the impugned order issuing non-bailable warrant as against the petitioner, inasmuch as, the petitioner had failed to furnish surety as directed by the trial Court. Hence, on 11th March 2022, in view of the statement made by the learned counsel for the petitioner that the petitioner would furnish surety within two weeks

in the trial Court, the non-bailable warrant was stayed. Today, learned counsel for the petitioner states that the petitioner has furnished surety as per the order dated 7th July 2018.

6 In view of the aforesaid, the non-bailable warrant issued by the trial Court is quashed and set-aside.

7 Petition is disposed of in the aforesaid terms.

8 All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.