



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL WRIT PETITION NO. 156 OF 2023

**JAGDISH DEEPCHAND KHATTAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for the Petitioner : Mr. Vijaykumar C Patil (Ashtekar) h/f
Mr. Bondar Uttam Bajirao
APP for Respondents/State : Mr. G.A. Kulkarni

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**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**

DATE : 26 MARCH 2024

PER COURT :

. The petitioner is the complainant. He is aggrieved by the fact that non-bailable warrant directed to be issued by the trial Court against respondent no.3 (accused) is not being executed.

2. Learned APP tenders across the bar a report by the Investigating Officer *inter alia*, mentioning about the steps being taken for tracing out the respondent no.3. Though it mentions about a report having been submitted to the trial Court from time to time, a copy of the last report annexed to a report submitted before us, was of July 2022. Needless to state that since it is a non-bailable warrant, there won't be any outer limit for its execution, it was expected of the Investigating Officer to have taken steps for tracing out the respondent no.3 and to keep the

trial Court updated from time to time.

3. We dispose of the writ petition by directing the respondent/ Investigating Officer to place before the trial Court a report every month about the efforts being taken for execution of the non-bailable warrant.

4. Needless to state that it would always be open for the petitioner to move the trial Court with a request for taking necessary steps in view of the aforementioned facts and circumstances including requesting for initiating steps under Section 82 and 83 of the Code of Criminal Procedure.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]

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