



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION NO.792 OF 2024

Nirasha Bimjeet Dhanawat

.vs.

The State of Maharashtra, through PSO Lakadganj, P.S. Lakadganj, Nagpur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Mr N. B. Rathod, Advocate for the petitioner
Mr Amit Chutke, APP for the State

CORAM : G.A. SANAP J.

DATE : OCTOBER 21, 2024

Heard learned Advocates for the parties

2. Issue notice to the respondent.
3. Learned APP waives service of notice on behalf of respondent/State.
4. In view of the issue involved in this case, the matter is taken up for final disposal at the stage of admission itself.
5. The petitioner was released on bail on furnishing cash surety of Rs.1,00,000/- (Rupees One lac only). It appears that there was a default on her part. She did not attend the Court. Therefore, the non-bailable warrant was issued against her. The learned Judge rejected the application for cancellation of non-bailable

warrant made by the Advocate for the petitioner. The petitioner was not present before the Court on that day. It appears that the petitioner is apprehending arrest in case she appear before the Court. I am informed that till date the non-bailable warrant has not been executed. In my view, in order to see that the trial is proceeded and disposed of without any hurdle, it would be just and proper to interfere with the order of rejection of non-bailable warrant.

6. Accordingly, the writ petition is allowed.

7. The order dated 10.07.2024 passed by the learned Judge, Nagpur in Sessions Case No.383 of 2023 is set aside.

8. The non-bailable warrant is canceled subject to cost of Rs.5000/- (Rupees Five Thousand Only). The cost be deposited before the Trial Court.

9. The petitioner shall regularly attend the Court henceforth.

10. The writ petition stands **disposed of**, accordingly.

(G. A. SANAP, J)