



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

CRIMINAL APPLICATION [APL] NO. 1502 OF 2024

N. SUNIL S/o K. NEELAMBARAN

VERSUS

VICTORIYA FRANCIS W/o N. SUNIL NILAMBERAM

Office Notes, Office Memoranda of Coram,
appearances, Court's Orders or directions and
Registrar's order

Court's or Judge's Order

Mrs. K. E. Meshram, Advocate for the applicant.

CORAM : G. A. SANAP, J.

DATE : OCTOBER 15, 2024.

1. Heard Mrs. K.E. Meshram, learned advocate for the applicant.
2. In this application, the order of issuance of arrest warrant dated 18.09.2024 passed by learned Addl. Chief Judicial Magistrate, Nagpur, at Exh.17, in Cri. Misc. Application No. 705/2023, has been challenged.
3. The applicant was in arrears of maintenance. The learned ACJM, therefore, on the application (Exh.17) of the non-applicant/wife, was pleased to issue arrest warrant against the applicant/husband. It appears that the police avoided to execute the warrant. Learned Judge vide order dated 18.09.2024 on an application (Exh.18) issued a show cause notice to the Police Inspector of Andman and Nicobar Island, for non-execution of the NBW.
4. Learned advocate for the applicant submitted that within 15 days the applicant will clear all the arrears. It is submitted that therefore, for a period of 15 days, the non-

bailable warrant may be directed to be kept in abeyance.

5. In my view, in the facts and circumstances, the prayer made by the applicant can be considered. Accordingly, 15 days time is granted to the applicant for deposit of all the arrears before the trial Court.

6. If the applicant fails to pay the arrears within 15 days, then he shall personally appear before the Court of ACJM and shall surrender.

7. The non-bailable warrant issued against the applicant be kept in abeyance for a period of 15 (fifteen) days.

8. As far as the show cause notice issued to the Police Inspector of Andaman & Nicobar Island, is concerned, the learned ACJM can proceed further with the same.

9. The application is partly allowed and disposed of in the aforesaid terms.

(G. A. SANAP, J.)

Diwale