



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

901 CRIMINAL APPLICATION NO.4022 OF 2024

- 1 Atul Kumar Sindalkar,
Age 29 yrs., Occ. Education,
 - 2 Rahul Kumar Sindalkar,
Age 27 yrs., Occ. Education,
- Both are r/o Shend (Uttar),
Tq. Shirur Anantpal, Dist. Latur.

... Applicants

... **Versus** ...

- 1 The State of Maharashtra
Through Police Inspector,
Rural Police Station, Udgir,
Tq. Udgir, Dist. Latur.
- 2 Nagnath Narsing Biradar,
Age 62 yrs., Occ. Agri.,
R/o Shambhu Umarga,
Tq. Udgir, Dist. Latur.
- 3 Jagdish Vaijnath Biradar,
Age 37 yrs., Occ. Agri.,
R/o Shambhu Umarga,
Tq. Udgir, Dist. Latur.

... Respondents

...

Mrs. Poonam V. Bodke Patil, Advocate for applicants

Mr. V.K. Kotecha, APP for respondent No.1

Mr. M.G. Biradar, Advocate for respondent No.2

Mr. Shaikh Ashraf Patel, Advocate for respondent No.3

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**CORAM : SMT. VIBHA KANKANWADI &
HITEN S. VENEGAVKAR, JJ.**

DATE : 10th SEPTEMBER, 2025

ORDER : (PER : SMT. VIBHA KANKANWADI, J.)

1 Present application has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing the proceedings in Regular Criminal Case No.257/2020 pending before learned Judicial Magistrate First Class, Udgir, Tq. Udgir, Dist. Latur, arising out of First Information Report vide Crime No.93/2020 dated 18.03.2020 registered with Rural Police Station, Udgir, Tq. Udgir, Dist. Latur, for the offence punishable under Sections 324, 323, 504, 506 read with Section 34 of the Indian Penal Code, 1860.

2 Heard learned Advocate Mrs. Poonam V. Bodke Patil for applicants, learned APP Mr. V.K. Kotecha for respondent No.1, learned Advocate Mr. M.G. Biradar for respondent No.2 and learned Advocate Mr.

Shaikh Ashraf Patel for respondent No.3.

3 Learned APP informs that applicants are not remaining present before learned trial Judge and, therefore, non bailable warrant has been issued against them. We had taken note of all those facts on record when the matter was on board on 08.09.2025 and we had made it clear that when the applicants are not abiding by the law by remaining present before the Court on each and every date, then this case cannot be taken as a good case for exercising powers under Section 482 of the Code of Criminal Procedure. However, learned Advocate for applicants took time on that day to get the information, as to whether non bailable warrant is still issued against the applicants. Today she is making a statement that warrants have been issued against present applicants. Under such circumstance, we reiterate that when applicants have not followed the law, then we are not taking this to be a fit case where we should exercise our powers under Section 482 of the Code of Criminal Procedure. Application, therefore, stands rejected.

(HITEN S. VENEGAVKAR, J.)

(SMT. VIBHA KANKANWADI, J.)

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