



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO.6188 OF 2024**

Banubi Maqbool Qureshi ... Petitioner
versus
The State of Maharashtra ... Respondent

Ms. Kainat Sayed i/by Ms. Munira Palanpurwala, Ms. Deepa Amati, Ms. Sumaiya Khan, for Petitioner.
Ms. Rashmi Tendulkar, APP for State.

CORAM: N.J.JAMADAR, J.

DATE : 19 SEPTEMBER 2025

P.C.

1. Heard the learned Counsel for the parties.
2. The challenge in this Petition is to an order dated 24 September 2024, whereby the application for personal exemption of the Petitioner came to be rejected as the learned Special Judge has already issued non-bailable warrant and the personal bond of the Petitioner stood forfeited.
3. Learned Counsel for the Petitioner submitted that the Petitioner is a senior citizen, and, therefore, could not appear before the Special Court and the applications for exemption were duly filed.
4. From the perusal of the roznama of the proceedings, it becomes evident that the Special Case is listed for framing Charge. The presence of the Petitioner is necessary. Learned Special Judge was, therefore, justified in passing the impugned order. However, to facilitate the Petitioner to seek

cancellation of non-bailable warrant, the Petitioner is permitted to appear before the learned Special Judge and file an application for cancellation of non-bailable warrant.

5. The Petitioner shall appear before the learned Special Judge on 29 September 2025.

6. Till then, non-bailable warrant issued against the Petitioner shall not be executed.

7. If such application is filed, the learned Special Judge is requested to decide the same in accordance with law.

8. If the Petitioner does not appear before the learned Special Judge on 29 September 2025, restraint on the execution of the non-bailable warrant shall stand vacated.

9. The Writ Petition stands disposed.

(N.J.JAMADAR, J.)