

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 4955 OF 2025

Rajesh Suresh Shinde ...Petitioner
Versus
The State of Maharashtra ...Respondents

Mr. Pradeep Yadav, a/w Vaishnavi Javheri, Pratham Jain and
Parth Govilkar, for the Petitioner.
Ms. R. S. Tendulkar, APP for State
Mr. Gopal Lavane, GC-1, Unit 3, EOW, Mumbai, present.

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**CORAM: N. J. JAMADAR, J.
DATED: 18th DECEMBER, 2025**

Oral Order:-

1. Heard the learned Counsel for the petitioner.
2. The challenge in this petition is to an order dated 29th August, 2025, whereby the learned Additional Sessions Judge while taking the accused in custody, pursuant to the production warrant issued against the accused, cancelled the bail bonds.
3. The Trial Court was persuaded to issue non-bailable warrant against the accused as the accused had remained absent. On 20th August, 2025, when the Court was informed that the accused has been arrested in CR No.146/2025, registered with APMC Police Station, Vashi, Navi Mumbai on 16th August, 2025, the learned Additional Sessions Judge recalled

non-bailable warrant and issued production warrant under Section 265 of the Code of Criminal Procedure, 1973.

4. When the accused was produced before the learned Additional Sessions Judge pursuant to the production warrant, the learned Additional Sessions Judge remanded the accused to judicial custody and, simultaneously, cancelled the bail bonds.

5. In the facts and circumstances of the case, this Court is of the considered view that, when the accused was arrested in another crime on 16th August, 2025, and that persuaded the learned Additional Sessions Judge to recall the non-bailable warrant and instead issue a production warrant, the learned Additional Sessions Judge ought not to have cancelled the bail bonds without providing an opportunity of hearing to the applicant.

6. In any event, the presence of the accused was duly secured and he was remanded to the judicial custody. Thus, the order of cancellation of bail bonds stands quashed and set aside.

7. The petition stands disposed.

[N. J. JAMADAR, J.]