



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO.5913 OF 2025**

Apurva Mahesh Dixit	...	Petitioner
versus		
Sanjay Zumbarrao Gunjal and Anr.	...	Respondents

Mr. Satyajeet P. Dighe, for Petitioner.
Mr. P.P.Malshe, APP for State.

CORAM: N.J.JAMADAR, J.

DATE : 18 NOVEMBER 2025

P.C.

1. Heard the learned Counsel for the parties.
2. The challenge in this Petition is to an order dated 31 October 2025, whereby the learned Magistrate has rejected the application for cancellation of non-bailable warrant on the ground that the Petitioner did not appear before the learned Magistrate.
3. Learned Counsel for the Petitioner, on instructions, submits that the Petitioner is willing to appear before the learned Magistrate. However, since the father of the Petitioner was taken in custody by the learned Magistrate and was eventually released on bail by the learned Sessions Judge, the Petitioner has preferred an application through an Advocate.
4. Learned Magistrate has ascribed reasons for not acceding to the prayer to cancel the NBW. At the same time, the apprehension on the part of the Petitioner, in the light of the developments qua co-accused, appears to be

reasonable. In the circumstances, this Court considers it expedient to protect the Petitioner till the Petitioner appears before the learned Magistrate and files an application for cancellation of NBW.

5. Hence, the following order :

ORDER

(i) The Writ Petition stands disposed with liberty to the Petitioner to appear before the learned Magistrate on or before 4 December 2025 and seek cancellation of NBW.

(ii) If the Petitioner appears before the learned Magistrate and files an application for cancellation of NBW, learned Magistrate shall take into account the fact that the Petitioner has appeared before the learned Magistrate and undertakes to regularly appear before the learned Magistrate.

(iii) In the meanwhile, till 4 December 2025, the execution and operation of the NBW stands stayed.

(N.J.JAMADAR, J.)