

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO.6711 OF 2025**

Milind Bhalchandra Nikarge ... Petitioner
versus
State of Maharashtra and Anr. ... Respondents

SWAROOP
SHARAD
PHADKE

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Date: 2025.12.19
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Mr. Murtaza Najmi with Ms. Nancy Kanugo, for Petitioner.
Mr. K.C.Shinde, APP for State.
Mr. Aniruddha Lad with Mr. Biju Joseph i/by KLY Law Associates, for
Respondent No.2.

CORAM: N.J.JAMADAR, J.

DATE : 18 DECEMBER 2025

P.C.

1. Heard the learned Counsel for the parties.
2. The challenge in this Petition is to an order dated 14 November 2025, whereby the learned Additional Sessions Judge has directed issuance of non-bailable warrant against the Petitioner – Appellant in Criminal Appeal No.459 of 2019, as the Petitioner did not appear on that day, and the Advocate for the Petitioner was not ready to advance the arguments.
3. Learned Counsel for the Petitioner submits that, on the next scheduled date i.e. 9 January 2026, the Petitioner would appear before the learned Additional Sessions Judge and the Petitioner – Appellant would also positively proceed with the hearing of the appeal.
4. In view of the aforesaid submissions and the fact that the Petitioner has deposited the entire amount of fine, this Court considers it expedient in the

interest of justice to provide an opportunity to the Petitioner to appear before the Appellate Court and work out the Appeal.

5. Let the Petitioner appear before the learned Additional Sessions Judge on 9 January 2026 and file an application for cancellation of non-bailable warrant. On that day, the Petitioner shall also advance arguments in Criminal Appeal No.459 of 2019.

6. In the event such an application is filed, the learned Additional Sessions Judge, shall have due regard to the fact that the Petitioner has appeared before the Court, and has undertaken to work out the Appeal, while deciding such application.

7. In the meanwhile, the execution and operation of the non-bailable warrant shall remain stayed.

8. The Writ Petition stands disposed.

(N.J.JAMADAR, J.)