

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 1233 OF 2025

Mohammed Ashfaq Chhawniwalla ... Applicant

V/s.

State of Maharashtra through ... Respondent
Charkop Police Station

Mr. Ashutosh R. Gole, for the applicant.

Mr. P.P. Malshe, APP, for the State.

CORAM : N.J. JAMADAR, J.

DATE : 12TH NOVEMBER 2025.

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1. Heard the learned counsel for the applicant.
2. The applicant is aggrieved by an order passed by the learned Magistrate dated 29th October 2025, whereby the prayer of the applicant to cancel the non-bailable warrant issued against the applicant came to be rejected.
3. The learned Magistrate was of the view that if the non-bailable warrant is cancelled, the applicant would not appear before the Court.
4. Mr. Gole, the learned counsel for the applicant, submits that the applicant was unaware of the filing of the chargesheet. The applicant is willing to appear before the learned Magistrate on the date as directed by this Court.

5. In view of the aforesaid submission, and for the reasons assigned in the application, the Court is of the view that the applicant deserves an opportunity to show bonafide and appear before the learned Magistrate in Case No. PW/516/2018.

6. Thus, the applicant is permitted to appear before the learned Magistrate and file an application for cancellation of non-bailable warrant and proclamation.

7. In the event, the applicant appears before the learned Magistrate on 24th November 2025 and applies for cancellation of the non-bailable warrant and proclamation, the learned Magistrate may have due regard to the fact that the applicant has appeared before the Court and undertakes to appear before the Court, regularly.

8. In the meanwhile, till 24th November 2025, the execution and operation of the non-bailable warrant and proclamation shall stand stayed.

9. Application disposed.

(N.J. JAMADAR, J)