

Ms. Sonal Parab with Ms. Shruti Potnis i/by Rajeev Sawant and Associates,
for Petitioners.
Mrs. R.S.Tendulkar, APP for State.

DATE : 21 NOVEMBER 2025

1. Heard the learned Counsel for the parties.
2. The challenge in this Petition is to an order dated 1 November 2025, whereby the learned Magistrate declined to cancel the NBW issued against the applicant.
3. Learned Counsel for the Applicant, on instructions, submits that the applicant is willing to appear before the learned Magistrate on the next scheduled date i.e. 5 December 2025, and will continue to regularly appear before the learned Magistrate in Case No.PW/774/2018. It was submitted that the applicant is a senior citizen and on account of ill health, he could not appear before the learned Magistrate when the application for cancellation of NBW was moved.
4. In view of the fact that the applicant appears to be of advanced age, the

Court considers it appropriate to grant time to the applicant to appear before the learned Magistrate and file an application for cancellation of NBW and, in the meanwhile, grant interim protection to the applicant.

5. The Applicant shall appear before the learned Magistrate on 5th December 2025.

6. The Applicant is permitted to file a fresh application for cancellation of NBW before the learned Magistrate, on 5th December 2025.

7. In the event, the applicant appears before the learned Magistrate on 5 December 2025 and files an application for cancellation of bail, learned Magistrate may, having regard to the situation in life of the accused, pass appropriate order on the application for cancellation of NBW.

8. In the meanwhile, in order to facilitate the applicant to appear before the learned Magistrate, the execution and operation of NBW stands stayed till 5 December 2025.

9. Criminal Application stands disposed.

(N.J.JAMADAR, J.)