

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 1325 OF 2025

Pravin Vishram Bhadane ..Applicant

Versus

Prakash Hiranman Chaudhari & Anr. ...Respondents

Mr. Akshay Bankapur, for the Applicant.

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

CORAM: N. J. JAMADAR, J.

DATE : 26th NOVEMBER 2025

P.C.:

1. Heard the learned Counsel for the applicant.
2. The challenge in this application is to an order dated 25th June, 2025 whereby the application preferred by the applicant for cancellation of the non-bailable warrant came to be rejected. The learned Magistrate was persuaded to reject the application, as the applicant did not appear before the learned Magistrate on the day when application for cancellation of non-bailable warrant was moved before the Court, and the complaint was posted for the examination of the applicant under Section 313 of the Code of Criminal Procedure, 1973.

3. Mr. Bankapur, the learned Counsel for the applicant, on instructions submits that, the applicant is willing to appear before the learned Magistrate on the next scheduled date of listing of complaint i.e. 18th December, 2025 and will, thereafter, continuously appear before the learned Magistrate till the completion of the trial in Summary Criminal Case No. 1412/2020.

4. In view of the aforesaid submissions, the Court considers it appropriate to grant an opportunity to the applicant to appear before the learned Magistrate on 18th December, 2025 and file an application for cancellation of non-bailable warrant.

5. The application stands disposed with a direction to the applicant to appear before the learned Magistrate on 18th December, 2025 and file an application for cancellation of non-bailable warrant.

6. If the applicant appears before the learned Magistrate on 18th December, 2025 and files an application for cancellation of warrant, the learned Magistrate is requested to decide the same in accordance with law.

7. In the meanwhile, to facilitate the applicant to appear before the learned Magistrate on 18th December, 2025, the

execution and operation of the non-bailable warrant shall remain stayed till 18th December, 2025.

8. It is hereby made clear that, if the applicant does not appear before the learned Magistrate on 18th December, 2025, the stay to the execution of NBW shall stand recalled automatically.

[N. J. JAMADAR, J.]