



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION NO.225 OF 2025

PETITIONER : Balu s/o Natha Ambhore,
Aged about 33 years, Occ- Labor,
R/o Rithad Tq. Risod Dist. Washim

..VERSUS..

RESPONDENT : The State of Maharashtra
Through its Police Station Officer,
Risod, Dist. Washim.

Mr. R.S. Kurekar, Advocate for petitioner
Ms Prachi Joshi, APP for the respondent/State

CORAM : ANIL S. KILOR, J.

DATE : 11th MARCH, 2025

ORAL JUDGMENT

1. Heard.
2. **Rule.** Rule is made returnable forthwith. Heard finally by the consent of learned counsel for the parties.
3. In the present writ petition, a challenge is raised to the order dated 21.01.2025 passed by the learned Additional Sessions Judge, Washim, rejecting the application moved by the petitioner for recalling the order of non-bailable warrant, issued

in the year 2018.

4. The application was rejected on the ground that there are general guidelines issued by the Hon'ble Supreme Court of India and this Court, to dispose of all old matters pending for more than five years.

5. The rejection was done with an intention to secure the presence of the accused on every date so as to enable the Court to proceed with the trial and conclude the same at the earliest.

6. The petitioner is personally present in this Court and he has been identified by his counsel. The petitioner has submitted an undertaking in writing, *inter alia*, stating that he would attend the trial Court each and every date without fail, till conclusion of the trial.

7. The undertaking is accepted and according to me, the same serves the purpose of securing presence of the petitioner on each date of the trial.

8. In the circumstances, I am of the opinion that the petitioner should get an opportunity. Hence, I pass following

order:

- (i) The writ petition is **allowed**.
- (ii) The order dated 21.01.21025 is hereby quashed and set aside.
- (iii) The order of issuance of non-bailable warrant against the petitioner is hereby quashed and set aside.

Rule accordingly.

(ANIL S. KILOR, J.)