



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

CRIMINAL WRIT PETITION NO.429 OF 2025

- 1) Rahul Panju Totwani
Aged about 28 years,
Occupation: Private,
R/o. Plot No.141,
Khamla Sindhi Colony,
Khamla, Nagpur

- 2) Rahul Ramesh Charde,
Aged about 30 years,
Occupation : Private,
R/o. Raghuji Nagar,
Mhada Colony, Qtr. No.4/12,
Nagpur

- 3) Ankush Govind Gupta,
Aged about 27 years,
Occupation : Private,
R/o. Plot No.6,
Sindhi Colony, Khamla,
Nagpur

...PETITIONERS

VERSUS

The State of Maharashtra
Police Station Officer,
Police Station Hudkeshwar,
Nagpur

...RESPONDENT

Mr. S.D. Chande, Advocate for the petitioners.
Mrs. M.A. Barabde, APP for the State.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : JULY 9, 2025.

ORAL JUDGMENT :

RULE. Rule is made returnable forthwith.

2. Heard finally with the consent of the learned Counsel for both the parties.

3. By this writ petition, the petitioners have challenged the order dated 03/05/2025 passed by Sessions Judge, Nagpur in Sessions Case No.734/2021 below Exhibit 1 and 112 thereby issuing non-bailable warrant against the petitioners.

4. Perused the order wherein the conduct of the present petitioners are noted by the Court that, due to the absence of the present petitioners, the trial is held up and neither the petitioners nor their Counsel are cooperating with the Court for disposing of the trial.

5. Now, the trial is fixed for recording of the evidence of the Investigating Officer and the matter is fixed on 18/07/2025.

6. Learned Counsel for the petitioners submitted that due to his personal reasons, he could not attend, and therefore, cross-examination is not conducted. Now, he has shown readiness and

willingness to dispose of the trial at the earliest by cooperating with the concerned Court.

7. Noting the conduct of the present petitioners and in view of the statement made by the learned Counsel for the petitioners that he as well as the petitioners would cooperate with the Sessions Court to dispose of the trial at the earliest.

8. The order passed by the Sessions Judge issuing the non-bailable warrant is quashed and set aside on a condition that the petitioners and their Counsel shall remain present before the District and Sessions Judge, Court No.2, Nagpur and shall cooperate with the Court to record the evidence of Investigating Officer.

9. The petitioners shall further remain present along with their Counsel for further proceeding in the Sessions Case No.734 of 2021 without seeking any exemption or an adjournment application except exceptional circumstances.

10. The writ petition stands disposed of.

(URMILA JOSHI-PHALKE, J.)