



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

CRIMINAL REVISION APPLICATION (REVN.) NO.181/2025

Mr Devendra s/o Laxmanrao More and another
Vs.

State of Maharashtra through Officer Incharge Police Station Digras Tahsil
Digras Dist. Yavatmal

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Ms Ayushi Dangare, Advocate for applicants
Shri Anant Ghogare, APP for non-applicant Nos.1 and 2/State

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATE : 13.10.2025

1. Heard.
2. Issue notice to the non-applicants, returnable after Diwali Vacation, 2025.
3. Learned APP waives notice for non-applicant Nos.1 and 2/State.
4. The applicants have filed this application to quash and set aside the order passed by the learned Session Court issuing the non-bailable warrant against the applicants and refusing to cancel the non-bailable warrant issued by the said Court.
5. Learned Counsel for applicants has stated that the applicants are facing the trial for the offences punishable under Sections 420, 409, 406, 34 and 120-B of the Indian

Penal Code and Section 3 of the Maharashtra Protection of Interest of Depositors Act, 1999. This Court has granted bail to the applicants on 17.09.2025. While granting bail, the condition was imposed to stay away from Yavatmal District and only permission to attend the trial is granted. The first date after their release was on 30.09.2025.

6. It is the case of the applicants that on that day, the applicants were present, their Advocate was present and their presence was marked on the board on 30.09.2025. However, the learned Counsel appearing in the said matter has found online status of the case that the non-bailable warrant was issued against the applicants as they were not present. Therefore, immediately on 01.10.2025, the application was filed to set aside the order passed by the learned Trial Court and cancellation of non-bailable warrant. The Court has passed the order and rejected the application.

7. Learned Counsel for applicants stated that the applicants had jumped the bail order passed by this Court and, therefore, the application was rejected. The applicants came before this Court challenging the said order.

8. On perusal of the board of the Court of that date i.e. 30.09.2025, it is mentioned that the applicant Nos.4,5,8 and 9 are present. But, on the application, the clerk has given the endorsement that the accused were not present before him.

9. The APP has also given say that without any reason, the applicants are taking the advantage of bail granted by this Court. Considering the said say, the order was passed.

10. Learned Counsel for applicants relied by the Hon'ble Apex Court in ***Vikas Vs. State of Rajasthan*** reported in ***(2014) 3 SCC 312***, wherein it is observed that '*The issuance of non-bailable warrant in the first instance without using other tools of summons and bailable warrant to secure attendance of such a person would impair the personal liberty guaranteed to every citizen under the Constitution*'. It appears that after release on bail, on the first date, the non-bailable warrant was issued against the accused persons where the applicants are claiming that they were present and on the board, it appears that their presence was marked.

11. Considering the circumstances, the order passed by the learned Sessions Court is stayed till next date.

12. Stand over after Diwali Vacation, 2025.

(MRS. VRUSHALI V. JOSHI J.)