



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

CRIMINAL WRIT PETITION NO. 888 OF 2025

Uday s/o Chandrashekhar Balapure

-- VERSUS --

Kuber Corporation

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

Court's or Judge's orders.

Mr. Uday S. Malate, Advocate (Through V.C.) for the
Petitioner.

CORAM : M.M. NERLIKAR, J.

DATE : NOVEMBER 11, 2025.

Heard.

2. On 18/10/2025 complainant filed application for issuance of non-bailable warrant as the accused was not present. Accordingly, on 18/10/2025 as the accused was not present, the learned Chief Judicial Magistrate, Akola, by its order dated 18/10/2025 issued bailable warrant against the accused.

3. Thereafter, the application was moved by the counsel for the accused on 20/10/2025, requesting that the bailable warrant issued on 18/10/2025 be cancelled. However, by an order dated 20/10/2025, the said application was rejected on the ground that no case was made out for

cancellation of the warrant. Both these orders are under challenge in this petition.

4. The learned counsel for the petitioner submits that he undertakes to appear before the Court on 21/11/2025. In this view of the matter, issue notice to the respondent, returnable on 03/12/2025.

5. Meanwhile, there shall be ad-interim relief in terms of prayer clause (C). Prayer clause (C) reads thus:-

“16.(C) Pending hearing & Final disposal of the present petition, the execution & implementation of the orders dated 18.10.2025 below Exhibit 38 & order dated 20.10.2025 below Exhibit 41, passed by Learned Judicial Magistrate First Class, Akola, in S.C.C. No.1204/2023 for issuance of bailable warrant against the petitioner & rejection of cancellation of Warrant may kindly be stayed & be kept in abeyance.”

6. It is also made clear that, in case, the accused does not appear before the Court on 21/11/2025, the ad-interim relief granted by this Court shall stand automatically vacated.

[M.M. NERLIKAR, J]