



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

CRIMINAL APPLICATION (APL) NO. 1768 OF 2025

Ravindra Deviprasad Jaiswal Vs. Buldhana Urban Co-operative Credit Society Ltd.

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

Court's or Judge's orders

Radhika Bajaj, Advocate for the Applicant.

CORAM : MRS. VRUSHALI V. JOSHI,J.
DATED : 17/12/2025.

. The applicant is challenging the order dated 26.09.2025 passed by the Chief Judicial Magistrate, Buldhana imposing the condition while cancelling the warrant issued against this applicant to furnish cash surety of the cheque amount.

2. The learned Counsel for the applicant has stated that the cheque amount is Rs.55,22,000/-. She has relied on the judgment of the Hon'ble Apex Court in the case of *Sumit Mehta Vs. State (NCT of Delhi)* reported in **(2013) 15 SCC 570**, wherein it is observed in paragraph No.15 as under.

“15. The words “any condition” used in the provision should not be regarded as conferring absolute power on a court of law to impose any condition that it chooses to impose. Any condition has to be interpreted as a reasonable condition acceptable in the facts permissible in the circumstance and effective in the pragmatic sense and should not defeat the order of grant of bail. We are of the view that the present facts and circumstances of the case do not warrant such extreme condition to be imposed.”

3. The learned Counsel for the applicant has brought to my notice that by the order dated 04.10.2023, the Trial Court has observed that the complainant was not interested in prosecuting as he has not taken any efforts to serve the respondent. After proclamation, the applicant appeared before the Court and filed an application for cancellation of warrant. The trial Court has cancelled the warrant, however, imposed the condition to deposit the surety amount. The applicant is challenging the said order before the Court.

4. Issue notice to the non-applicant, returnable on 08.01.2026.

5. There shall be stay to the order dated 26.09.2025 passed by the Chief Judicial Magistrate, Buldhana in S.C.C. No.1011/2013 till the next date.

6. Authenticated copy of this order be supplied to the learned Counsel for the respective parties to act upon.

(MRS. VRUSHALI V. JOSHI, J.)