



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 982 OF 2026
IN
3 CRIMINAL APPEAL NO. 706 OF 2003

Suryakant Nagshetti Biradar

VERSUS

State Of Maharashtra

Mr. Sudarshan J. Salunke, Advocate for the Appellant
Mr. K. S. Patil, APP for Respondent State

CORAM : Y. G. KHOBRADE, J.

Dated : 1st April, 2026

PER COURT :-

1. By the present application, the appellant accused is seeking recall of order dated 04.03.2026 passed by this Court and cancellation of the Nonailable Warrant issued against him.

2. Needless to say that on 04.10.2025, this court passed the reasoned order and issuedailable warrant against the appellant. The saidailable warrant was communicated to the appellant accused by the police; however, the appellant accused did not pay any hid. Therefore, on 04.03.2026, this Court passed a reasoned order and issued Nonailable Warrant against the appellant.

3. The appellant-accused has contended that, his earlier counsel Mr. Kapadiya had passed away, and Advocate Shri Damble, who was practicing with late Advocate Shri Kapadiya, has left Aurangabad and

settled at Pune. Therefore, he was not in contact with his counsel and he had no intention to remain absent.

4. The grounds set out in the application appear to be bonafide, hence, order dated 04.03.2026 passed by this court is hereby recalled and the Non Bailable Warrant issued against the present appellant is hereby cancelled subject to payment of fine of Rs.5,000/-.

5. The Criminal Application is accordingly disposed of.

6. The appeal be listed for hearing on 16.04.2026

7. The appellant shall remain present in the court on each date of hearing in the appeal.

(Y. G. KHOBRAGADE, J.)

JPChavan