



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 598 OF 2026

Kiran Motiram Bhole

VERSUS

The State Of Maharashtra And Others

...

- Mr. Niranjan Vasant Dhake, Advocate for the Petitioner
- Mr. P. D. Patil, APP for Respondent No. 1 - State

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CORAM : MEHROZ K. PATHAN, J.

DATED : 05.05.2026

PER COURT :

1. The petition seeks quashing of the entire proceedings bearing RCC No. 687 of 2015, and also challenges the order dated 28.06.2018 recalling the order of discharge passed on the same date and order dated 01.10.2015, issuing process, is the private complaint.
2. However, the petitioner's immediate concern are the prayers for quashing and setting aside of the order dated 12.12.2017 issuing a non-bailable warrant, the order dated 25.09.2023 issuing proclamation under Section 87 of the Code of Criminal Procedure, and the order dated 08.09.2025 issuing a lookout notice.
3. Since the aforesaid prayers are made directly before this Court, it would be expedient, in the interest of justice, to direct the petitioner to first approach the trial Court for setting aside the aforesaid orders, particularly the orders issuing non-bailable warrant,

proclamation, and lookout notice, by filing an appropriate application before the learned trial Court.

4. The writ petition is, therefore, disposed of as withdrawn, with liberty to the petitioner to approach the learned trial Court by filing an appropriate application for setting aside the aforesaid three orders dated 12.12.2017, 25.09.2023, and 08.09.2025.

5. Since the petitioner is working in Australia on a work visa and is presently on a private visit to India, if such an application is filed before the trial Court for quashing of aforesaid orders, the same shall be decided on its own merits expeditiously and preferably within a period of three weeks from the date of filing of such application.

6. Needless to state that this Court has not examined the matter on merits. The writ petition is disposed of in view of the availability of an alternate remedy to the petitioner to first approach the trial Court. The remaining prayers, including those challenging issuance of process, quashing of proceedings, and quashing of the order recalling the discharge of the petitioner, are kept open.

7. The writ petition stands disposed of as withdrawn with liberty as mentioned hereinabove.

8. Parties to act on an authenticated copy of this order.

(MEHROZ K. PATHAN, J.)