



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

CRIMINAL APPLICATION (ABA) NO. 633 OF 2025

UMESH RAI JADHAV
VS
THE STATE OF MAHARASHTRA

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Shri Mohd. Naveed Opai, Advocate for applicant.
Shri C.A.Lokhande, APP for respondent/State.
Shri M.P.Suryawanshi, Advocate for assist to prosecution.

CORAM: RAJNISH R. VYAS, J.

DATED : 28th APRIL, 2026.

On 23/12/2025, this Court had observed as under:-

“The applicant has provided 10 new machines and he is ready to provide some more machines to show his *bona fides*.”

2. The matter was then adjourned to 12/01/2026 and again on 12/01/2026, the matter was adjourned to 13/01/2026 at the request of the learned counsel for the applicant. Even on 13/01/2026, the matter was adjourned to 27/01/2026 at the request of the learned counsel for the applicant. On 15/04/2026, the learned counsel for the applicant had submitted that, his client has already placed the order for purchase of 20 sewing machines and by 22/04/2026, he will deliver the machines to the authorities concerned. The matter was then adjourned to 22/04/2026 and it was made clear that, if by that time, the undertaking is not complied with, the matter will be

decided on its own merits. On 22/04/2026, the matter was adjourned to 23/04/2026. On 23/04/2026, the learned counsel for the applicant, on instructions, submitted that, on or before 27/04/2026, the applicant will hand over 20 new sewing machines to the concerned institution. On 27/04/2026, the learned counsel for the applicant submitted that, by 05.00 p.m., the machine would be handed over to the investigating officer. His statement was accepted as undertaking to the Court. Then, the matter was adjourned for today.

3. Today, when the matter was called out in the first session, the learned counsel for the applicant had submitted that, he had tried to contact the applicant, but there was no response. When the matter is called out in second session, the learned counsel for the applicant has furnished copy of pursis, which is taken on record and marked as 'X' for identification. By way of this pursis, it is stated that 20 sewing machines are not delivered though the statement was made. It is also stated in the pursis that, the learned counsel has issued notice to the applicant for withdrawal of 'Vakalatnama' through WhatsApp. A copy of notice along with the WhatsApp chat is produced on record. *Prima facie*, it shows that the applicant is not making correct statement before this Court. The said conduct is blameworthy. At the same time, it cannot be ignored that the liberty of the applicant is also required to be looked into.

4. Stand over to 30/04/2025 at 02.00 p.m. for final disposal.
5. It is made clear that the application shall be decided on merits on that date.
6. Interim order dated 25/08/2025 to continue till then.

(RAJNISH R. VYAS, J.)

B.T.K.