R.C.C.No.573/2002
State Vs. Sanjay Agrawal & Ors.
CNR No.MHWR030003432002

ORDER BELOW EXH.981
(Date 22nd January, 2026)

Perused the application and say thereon. Accused No.1 is present before the court. Heard both the sides.

2]   This is an application filed by accused No.1 for cancellation of non-bailable warrant issued against him. He submits that on 08.01.2026 the counsel for the accused Advocate Mr.N.V. Pawar has mistakenly filed an application for exemption of the accused in the matter of section 138 of N.I. Act, under impression that this matter is fixed on another day. On 08.01.2026, accused No.1 was at Mumbai for giving necessary instructions to his counsel, he has another case pending before another court.

3]   The learned A.P.P. has strongly opposed the application saying that the matter is very old and regularly kept twice in a week. The accused has deliberately failed to appear before the court. She prays for rejection of the application.

4]   On perusal of order-sheet, it seems that previously also the accused has undertaken to attend the matter regularly which he has not followed. The matter is made time-bound by the Hon'ble Supreme Court and it is to be concluded within 30.04.2026. The absence of accused for last three days has wasted the time. The accused No.1 now submits through 'undertaking' that he will not prolong the matter henceforth.

5]   The matter is 24 years old. The trial is yet to be completed. On the last occasion, accused No.1 and his counsel had submitted that the matter will not be prolonged and they will co-operate the court to dispose of the matter within time limit given by the Hon'ble Supreme Court, which was not at all followed by them. The matter involves huge amount of the public money, in spite of previous undertaking the accused did not co-operate this court to conduct the matter regularly. Considering this, I pass the following order.

ORDER

1.   The application is allowed.

2.   N.B.W. issued against accused No.1 stands canceled on payment of penalty of Rs.10,000/-.

Wardha   (G.V.Jangde-Deshpande)
Date: 22.01.2026   Chief Judicial Magistrate,
                                                      Wardha.