

MHSI030000422011



R.C.C. No.12/2011

The State of Maharashtra  
Vs  
Shekhar Naik

Order below Exh.236

Perused the application, say of Ld. APP thereon, Medical papers file by accused. Heard both parties at length.

02. Present application has been filed by the accused for cancellation of N.B.W. order and proclamation issued against him. According to him, due to serious illness and as he is being treatment at Mahad Dist. Raigad, he could not remain present in the matter. Because of it, N.B.W. and proclamation has been issued against him. He was not negligent. He will remain present on every date. On these grounds, he has prayed that NBW order and proclamation issued against him be cancelled.

03. Ld APP opposed the application on the ground that the offence is non-bailable, the accused is absent since many dates. Proclamation has been issued against him and surety amount also has been forfeited. The reason given for absence is not sufficient. If he again remains absent, the trial will be delayed. On these grounds, he prayed for rejection of the application.

04. Record shows that, as the accused failed to appear and as N.B.W. issue against him could not be executed, proclamation was issued against him. But, considering the nature of illness of the accused, in my view, there is reason to believe that he has not absconded or concealing himself for avoiding execution of process. Importantly, he has appeared voluntarily. Taking into consideration

all these aspects, I have come to the conclusion order of N.B.W. and proclamation issued against the accused is required to be cancelled and he is to be released on bail.

**ORDER**

01. The application is allowed.
02. N.B.W. and proclamation issued against the accused is hereby cancelled.
03. The accused be released on bail bond of Rs.25,000/- (Rs. Twenty Five Thousand Only) on condition that he shall attend in accordance with the bond.

Oros.

Dated : 02/03/2026.

( **A. G. Deshingkar** )

Addl. Chief Judicial Magistrate,  
Sindhudurg-Oros.