

Common Order Below Exh. 129 to 131 & 134 to 136
(Dt. 09/02/2026)

Perused the applications. It is submitted that, the accused Nos. 2 to 7 are absent in the Court. From the applications it appears that, their bailable warrants are prayed to be cancelled in their absence. In view of the record, there is bailable warrants were issued against accused Nos. 2 to 6. In spite of that, in their absence present applications are been filed. The Ld. counsels of accused Nos. 2 to 4 submitted that, in view of **Arunkumar N. Chaturvedi Vs. The State of Maharashtra and Anr. (Writ Petition No. 4429/2013 Decided on 24/12/2013)**, there is no physical presence of the accused required on the part of the accused to cancel the non-bailable warrant.

2) Perused the record. It appears that, present matter is private case filed under section 200 of the Cr.P.C. The process is issued against the accused persons. In spite of it, the accused No. 2 was allowed to release on personal bond. Whereas, accused Nos. 3 and 4 were allowed to release on bail. In spite of this standing bailable warrant, the Ld. counsel prayed for personal exemption as well as cancellation of bailable warrant. In view of ***Arunkumar cited supra*** the cancellation of any sort of warrant is allowed under section 138 of N.I. Act. Whereas, the

bailable warrant needs to be cancelled in presence of the accused only in other cases. As accused Nos. 2 to 6 are not present, the present applications are not maintainable. Further, as the bailable warrant is in execution against the accused persons, their personal exemption cannot be granted. Hence, applications are hereby rejected. As both the Ld. counsels are present before the Court, the order is treated as noted.

Wardha.
Date : 09/02/2026

(Smt. M. R. Chavan (Hiwarale))
Judicial Magistrate First Class,
(Court no. 2), Wardha.

Certified that PDF copy of Order supra is word-to-word identical to the original Order.

(I.K.Khan)
Stenographer Grade-II