

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION (ST) NO.10347 OF 2023**

M/s G.P. Shah Investment Pvt Ltd & Ors ...Petitioners
Versus
The State of Maharashtra & Anr ...Respondents

Mr. Rishi Bhuta a/w Vivek Pandey, Neha Patil, Ujjwal Gandhi, Prateek Dutta, Omer Farooq & Risha Rathod, Advocate for Petitioners.

Mr. A.R. Patil, APP for State/Respondent No.1.

Ms. Sabiha Ansari, Advocate for Respondent No.2.

CORAM : SARANG V. KOTWAL, J.

DATE : 9th OCTOBER 2023

PC :

1. Leave to amend. Amendment shall be carried out before 2nd November 2023.

2. Learned Counsel for the Petitioners submits that there is non-compliance of mandatory procedure under Section 202 of Cr.P.C. The order of issuance of process is without any reasons. He submitted that there are non-bailable warrants issued against the Petitioner Nos.6, 8, 9, 10, 11 and 12. He submitted that these Petitioners have no intention to avoid process of law. Learned Counsel for the Petitioners submitted that these Petitioners will appear before the trial Court to show their bonafides.

3. Considering these submissions, the following order is passed:

O R D E R

- i) Issue notice to the Respondents, returnable on 2nd November 2023.
- ii) The non-bailable warrants issued against the Petitioner Nos.6, 8, 9, 10, 11 and 12, are stayed till 2nd November 2023.
- iii) The Petitioners shall appear before the trial Court and make an Application for cancellation of non-bailable warrant, before that date.
- iv) The learned trial Judge on being satisfied about their bonafides and after hearing the other sides shall consider cancellation of the non-bailable warrants issued against those Petitioners.
- v) Till the next date, the charges shall not be framed.
- vi) Stand over to 2nd November 2023.

(SARANG V. KOTWAL, J.)