



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

Criminal Appeal No.127 of 2024

Pawankumar Fakirchand Uike

vs.

State of Maharashtra, through P.S.O., Sub-Police Station, Repanpalli, District Gondia.

*Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.*

Court's or Judge's Orders

Mr. R.M. Daga, Advocate for the Appellant.

Mr. D.V. Chauhan, Senior Advocate and Public Prosecutor for the Respondent/State.

CORAM : **ANIL L. PANSARE & NIVEDITA P. MEHTA, JJ.**

DATE : **6th JANUARY, 2026.**

On 12/11/2025, the following order was passed:

"Heard for sometime.

2. The appellant is chargesheeted for the offence punishable under Sections 10, 13, 18, 20 and 39 of the Unlawful Activities (Prevention) Act, 1967 as also under Section 3 read with 25 of the Indian Explosive Act.

3. The appellant is seeking bail on following grounds:-

(i) Co-accused who have played almost similar role have been released on bail.

(ii) The grounds of arrest were not communicated to the appellant.

(iii) Delay in trial (appellant is in jail for more than three years).

(iv) No case is made out against the appellant for the aforesaid offence.

4. Out of the above grounds, we will first consider ground Nos.2 and 3 and for that purpose we request the Sessions Court to place before us the report containing status of the trial and reasons for delay.

5. The report shall be filed by 28.11.2025.

6. List the appeal on 02.12.2025."

02. Accordingly, a status report has been filed by the learned Additional Sessions Judge, Aheri. The same reveals that the record and proceedings were called by this Court initially at the time of issuance of

notice and thereafter on 26/03/2025. The report further indicates that for want of record and proceedings, the charge could not be framed. In the meantime and in terms of the order dated 19/08/2024, the record and proceedings were remitted back to the trial Court.

03. We have perused the record. We do not find that after 19/08/2024, this Court had called record and proceedings. It appears that the Registry, on its own, called record and proceedings on 26/03/2025.

04. That being so and since the present appeal is filed against the order rejecting bail under Section 21(4) of the National Investigation Agency Act, 2008, we are of the considered view that the record and proceedings may not be required. Accordingly, the record and proceedings shall be remitted back to the trial Court immediately. The trial Court shall then proceed in terms of Section 228 of the Code of Criminal Procedure.

05. List the matter for hearing in the week commencing from 9th February, 2026.

(Nivedita P. Mehta, J.)

(Anil L. Pansare, J.)

**sandesh*