



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO. 455 OF 2014

IN

EXECUTION APPLICATION NO. 853 OF 2015

Integro Finserv Private Limited

...Applicant

*Versus*

Santoshkumar Ramsajeevan Dewivedi & Anr.

...Respondents

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Mr. Gaurav Jain i/b. M/s. DS Law, for the Applicant.

Mr. Anil C. Singh, Additional Solicitor General of India a/w. Mr. Aditya Thakkar, Mr. D. P. Singh, Mr. Adarsh Vyas, Ms. Rama Gupta, Mr. Krishnakant Deshmukh and Mr. Rajdatta Nagre, for the Union of India.

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**CORAM:** MADHAV J. JAMDAR, J.

**DATED:** 4<sup>th</sup> FEBRUARY 2026

**PC:-**

1. By a detailed order dated 7<sup>th</sup> January 2026, this Court noted that numerous Execution Applications remain pending, as Bailable or Non-Bailable Warrants issued outside the State of Maharashtra have not been executed for a significant period and therefore, Mr. Anil Singh, learned Additional Solicitor General (“ASG”) is requested to assist the Court.

2. The said order dated 7<sup>th</sup> January 2026 reads as under:

*1. This Execution Application is of the year 2015. A learned Single Judge has passed the following order on 23<sup>rd</sup> July 2025:*

*“1. Pursuant to the order dated 10<sup>th</sup> September, 2024, this Court had directed that the non-bailable warrant be issued against the Respondent No.2.*

*2. Mr. Jain submits that pursuant thereto the non-bailable warrant was issued. However, service report dated 25<sup>th</sup> November, 2024 indicates that the said warrant could not be executed as the Respondent No. 2 has shifted to Varanasi, Uttar Pradesh and since Vidhan Sabha Elections 2024 process was going on in the State of Maharashtra, there was insufficient manpower to send the police officer to Varanasi, Uttar Pradesh.*

*3. Having heard the learned Counsel and having considered his submissions, Registry is directed to re-issue the non-bailable Warrant against the Respondent No.2, to be executed at Varanasi, Uttar Pradesh, returnable on the next date.*

*4. The Applicant to assist the Registry and furnish details of the concerned Police Station for the execution of the non-bailable Warrant. The Senior Police Inspector of the concerned Police Station to have the said non-bailable Warrant executed and secure the presence of the Respondent No.2 on the next date.*

*5. Let the Respondent No.2 remain present in the Court on the next date.*

*6. List on 3<sup>rd</sup> September, 2025.”*

2. Thus, the order records that Non-Bailable Warrant has been issued against the Respondent No.2. However, the same could not be executed as the Respondent No.2 has shifted to Varanasi, Uttar Pradesh.

3. The registry has submitted report dated 6<sup>th</sup> January 2026, which reads as under:

**“SERVICE REPORT OF FRESH NON-BAILABLE WARRANT OF ARREST**

*In the above matter, pursuant to the Order dated 23<sup>rd</sup> July, 2025 passed by this Hon'ble Court, Fresh Non-Bailable Warrant of Arrest was issued against the Respondent No.2 which was addressed to the Senior Inspector of Police, Police Station Manduadih, Varanasi, Uttar Pradesh for execution.*

*I respectfully further submit that pursuant to the order dated 10<sup>th</sup> September, 2025, this Registry has send the Reminder to the Senior Inspector of Police, Police Chowki Marhauli, Station Manduadih, Varanasi, Uttar Pradesh vide Letter No. Exa/FRESH NBW/REMINDER/2025/362 dated 25<sup>th</sup> September, 2025 (Annexure "A") by speed post, requesting to execute the aforesaid Fresh Non- Bailable Warrant of Arrest and submit the report to this registry before the next adjourned date. As per tracking report the reminder letter was received by the said authority on 28/10/2025.*

*I respectfully further submit that pursuant to the order dated 26<sup>th</sup> November, 2025 read with order dated 3<sup>rd</sup> December, 2025 passed by this Hon'ble Court, this Registry has issued second Reminder to the Senior Inspector of Police, Police Chowki Marhauli, Station Manduadih, Varanasi, Uttar Pradesh vide Letter No.*

*Exa/FRESH NBW/ REMINDER/2025/427 dated 6<sup>th</sup> December, 2025 (Annexure "B") by speed post.*

*I respectfully further submit that pursuant to the order dated 10<sup>th</sup> December, 2025 passed by this Hon'ble Court, this Registry has issued Third Reminder to the Senior Inspector of Police, Police Chowki Marhau, Station Manduadih, Varanasi, Uttar Pradesh vide Letter No. Exa/FRESH NBW/ REMINDER/2025/443 dated 18<sup>th</sup> December, 2025 (Annexure "C") by speed post. As per tracking report the reminder letter was received by the said authority on 29/12/2025.*

*I respectfully further submit that this registry has contacted the foresaid authority telephonically on Mobile no. 9454404393 and requested Inspector Vidyashankar Shukla to execute the aforesaid Fresh Non-bailable Warrant of Arrest and submit the execution report of the same immediately as the matter is fixed before this Hon'ble Court on 07/01/2026. In furtherance, this registry has send the soft copy of the said Reminder Letter alongwith the order dated 10/12/2025 through E-mail to the aforesaid Police Station (Annexure "D").*

*However, till date this registry has not received any execution report in respect of the aforesaid Fresh Non-Bailable Warrant of Arrest issued against the Respondent No.2."*

*(Emphasis added)*

*4. The said report shows that pursuant to order dated 23<sup>rd</sup> July 2025, the registry has issued fresh Non-Bailable Warrant against the Respondent No.2*

*and the same was addressed to the Senior Inspector of Police, Manduadih Police Station, Varanasi, Uttar Pradesh for execution. Thereafter, reminders were sent to the Senior Inspector of Police, Manduadih Police Station, Varanasi, Uttar Pradesh by letter dated 25<sup>th</sup> September 2025, 6<sup>th</sup> December 2025 and 18<sup>th</sup> December 2025. Inspite of these reminders which have been received by the Senior Inspector of Police, Manduadih Police Station, Varanasi, Uttar Pradesh, no report regarding execution of Non-Bailable Warrant has been submitted. Therefore, the registry has contacted Mr. Vidyashankar Shukla, Inspector on cell phone to execute the said Non-Bailable Warrant of Arrest and requested to submit the execution report of the same immediately. However, till date the registry has not received any execution report inspite of aforesaid fresh Non-Bailable Warrant of Arrest issued against the Respondent No.2.*

*5. This Execution Application is of the year 2015. Thus, the same is pending for last 11 years. The Supreme Court by order dated 6<sup>th</sup> March 2025 passed in the case of **Periyammal (Dead Through LRs) & Ors. vs. V Rajamani & Anr.**<sup>1</sup> has directed that Execution Application, to be disposed of within a period of six months.*

*6. It is observed that many Execution Applications are pending as Bailable Warrants/Non-Bailable Warrants issued outside the jurisdiction of State of Maharashtra remain pending for execution for quiet some time.*

*7. In these circumstances, Mr. Anil Singh, learned Additional Solicitor General is requested to appear in the matter to assist the Court.*

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**1** 2025 SCC OnLine SC 507

*8. Stand over to 14<sup>th</sup> January 2026. To be listed First on Board.”*

3. Thus, the Execution Application which has been filed in the year 2015 has remained pending as although on many occasions Bailable Warrants/Non-Bailable Warrants were issued, the same have not been executed by the Senior Inspector of Police of concerned Police Station.

4. The Registry of this Court has issued several reminders, however, no report regarding execution of Non-Bailable Warrant has been submitted. Although the registry has contacted Mr. Vidyashankar Shukla, Inspector on Cell Phone seeking to execute Non-Bailable Warrant of Arrest, however, no report has been received.

5. The said order dated 7<sup>th</sup> January 2026 also records that the Supreme Court in the case of *Periyammal (Dead Through LRs)* (supra) has directed that the Execution Applications be disposed of within a period of six months.

6. In these circumstances, Mr. Anil Singh, learned ASG has been requested to assist the Court.

7. Today, Mr. Anil Singh, learned ASG appears in the matter and points out various provisions of Bharatiya Nagarik Suraksha Sanhita, 2023 (“BNSS”). He points out Sections 72, 74, 76, 79 and 80 of the BNSS. The said Sections are reproduced herein below for ready reference:

***“72.— Form of warrant of arrest and duration.—(1) Every warrant of arrest issued by a Court under this Sanhita shall be in writing, signed by the presiding officer of such Court and shall bear the seal of the Court.***

***(2) Every such warrant shall remain in force until it is cancelled by the Court which issued it, or until it is executed.***

***74. Warrants to whom directed.—(1) A warrant of arrest shall ordinarily be directed to one or more police officers; but the Court issuing such a warrant may, if its immediate execution is necessary and no police officer is immediately available, direct it to any other person or persons, and such person or persons shall execute the same.***

***(2) When a warrant is directed to more officers or persons than one, it may be executed by all, or by any one or more of them.***

*76. Warrant directed to police officer.—A warrant directed to any police officer may also be executed by any other police officer whose name is endorsed upon the warrant by the officer to whom it is directed or endorsed”.*

*79. Where warrant may be executed.—A warrant of arrest may be executed at any place in India.*

*80. Warrant forwarded for execution outside jurisdiction.—(1) When a warrant is to be executed outside the local jurisdiction of the Court issuing it, such Court may, instead of directing the warrant to a police officer within its jurisdiction, forward it by post or otherwise to any Executive Magistrate or District Superintendent of Police or Commissioner of Police within the local limits of whose jurisdiction it is to be executed; and the Executive Magistrate or District Superintendent or Commissioner shall endorse his name thereon, and if practicable, cause it to be executed in the manner hereinbefore provided.*

*(2) The Court issuing a warrant under sub-section (1) shall forward, along with the warrant, the substance of the information against the person to be arrested together with such documents, if any, as may be sufficient to enable the Court acting under section 83 to decide whether bail should or should not be granted to the person.”*

(Emphasis added)

8. The scheme with respect to the warrants to be issued and execution of the same as can be seen from above provisions *inter alia* is as follows:



- i. Warrant of arrest shall ordinarily be directed to one or more police officers; but the Court issuing such a warrant may, if its immediate execution is necessary and no police officer is immediately available, direct it to any other person or persons, and such person or persons shall execute the same.
- ii. When a warrant is directed to more officers or persons than one, it may be executed by all, or by any one or more of them.
- iii. A warrant of arrest may be executed at any place in India.
- iv. When a warrant is to be executed outside the local jurisdiction of the Court issuing it, such Court may, instead of directing the warrant to a police officer within its jurisdiction, forward it by post or otherwise to any Executive Magistrate or District Superintendent of Police or Commissioner of Police within the local limits of whose jurisdiction it is to be executed; and the Executive Magistrate or District Superintendent or Commissioner shall endorse his name thereon, and if practicable, cause it to be executed in the manner herein above provided.

9. The most important provision is Section 80 of BNSS which provides that, when a warrant is to be executed outside the local jurisdiction of the Court issuing it, such Court may, instead of directing the warrant to a police officer within its jurisdiction, forward it by post or otherwise to any Executive Magistrate or District Superintendent of Police or Commissioner of Police within the local limits of whose jurisdiction it is to be executed; and the Executive Magistrate or District Superintendent or Commissioner shall endorse his name thereon, and if practicable, cause it to be executed .

10. Accordingly, issue fresh Non-Bailable Warrant against the Respondent No.2. The registry shall forward the same by R.P.A.D. to the Commissioner of Police, Varanasi, within the local limits of whose jurisdiction the said warrant is to be executed.

11. As many Execution Applications are pending for more than 20/30 years and most of them are filed by the Financial Institutions including by the Nationalized Banks, Mr. Anil Singh, learned ASG is requested to also suggest measures so that Bailable Warrants/Non-Bailable Warrants issued against the Judgment Debtors are executed

in time bound manner and Execution Applications can be disposed of expeditiously.

[MADHAV J. JAMDAR, J.]

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