

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO.94 OF 2015****IN****CRIMINAL WRIT PETITION NO.893 OF 2014**

Nath Biogene (I) Ltd. ..Applicant/ Intervener.
and
The State of Maharashtra ..Petitioner.
versus
M/s. Astec Chemicals Pvt. Ltd.
and others ..Respondents.

.....
Mr. Lokesh D. Zade for the Applicant.
Mr. H.J. Dedhia, Addl. P.P. for the State.

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CORAM : A.S. GADKARI, J.

17th June, 2015.

P.C. :

Heard the learned counsel for the Applicant and the learned APP.

2. This is an Application for intervention by the original complainant in Writ Petition No.893 of 2014. The said Writ Petition is preferred against the order dated 19th April, 2013 passed by the learned J.M.F.C., Kalyan in Court Case No.2152 of 2007 which came to be dismissed in default. The learned counsel for the Applicant submits that the accused persons in the original complaint have been acquitted for want of prosecution at the instance of the State and now the State has preferred Writ Petition challenging the order dated 19th April, 2013. He further submitted that the complainant was bonafide pursuing the

said complaint being the original complainant in the matter. He further submits that the complainant is intending to intervene in the present Writ Petition with a view to assist the Court in arriving at a proper conclusion.

3. Perused the Application and the pleadings therein. I am satisfied that the presence of the Applicant / original complainant is necessary in deciding Writ Petition No.893 of 2014. In that view of the matter, the present Application is allowed in terms of prayer clause (a).

The learned APP is hereby directed to amend the cause title of the Writ Petition thereby adding the Applicant herein as Respondent No.3. Amendment to be carried out within a period of two weeks from today.

(A.S. Gadkari, J.)