

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO.349 OF 2012

Drupadi Dudani and ors.

...Applicants.

vs.

Kumar Bathija and anr.

...Respondents.

Shri.Charanjeet Chanderpal for Applicants.

Smt. Manjula Rao for the Respondents.

Mr. Dinesh Adsule, APP. for State.

CORAM : S.C. DHARMADHIKARI

AND

SUNIL P. DESHMUKH, JJ.

DATE : 18TH FEBRUARY 2015

PC:

Having heard both sides on this criminal application we do not see how we can allow a third party intervention in the proceedings. The proceedings are instituted in this court by the original complainant. Necessary parties are those who have been impleaded in the criminal complaint as accused or those who have been arraigned in the criminal application as Respondents. In such circumstances, the intervention by the third party who has been arraigned as accused in the complaint but not a party to the Criminal Revision Application as an

applicant or contesting respondent cannot be allowed. The applicant has independent remedies in law if they are aggrieved by the order of the learned Magistrate. In such circumstances, intervention application is rejected but by keeping open all the contentions of the parties.

(SUNIL P. DESHMUKH, J.)

(S.C. DHARMADHIKARI, J.)