

Santosh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 815 OF 2015

WITH

CRIMINAL APPLICATION NO. 816 OF 2015

WITH

CRIMINAL APPLICATION NO. 817 OF 2015

WITH

CRIMINAL APPLICATION NO. 818 OF 2015

WITH

CRIMINAL APPLICATION NO. 819 OF 2015

WITH

CRIMINAL APPLICATION NO. 820 OF 2015

WITH

CRIMINAL APPLICATION NO. 821 OF 2015

WITH

CRIMINAL APPLICATION NO. 822 OF 2015

WITH

CRIMINAL APPLICATION NO. 823 OF 2015

WITH

CRIMINAL APPLICATION NO. 824 OF 2015

WITH

CRIMINAL APPLICATION NO. 825 OF 2015

WITH

CRIMINAL APPLICATION NO. 826 OF 2015

WITH
CRIMINAL APPLICATION NO. 874 OF 2015
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CRIMINAL APPLICATION NO. 875 OF 2015
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CRIMINAL APPLICATION NO. 876 OF 2015
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CRIMINAL APPLICATION NO. 885 OF 2015
WITH
CRIMINAL APPLICATION NO. 886 OF 2015

**WITH
CRIMINAL APPLICATION NO. 51 OF 2016**

**WITH
CRIMINAL APPLICATION NO. 52 OF 2016**

**WITH
CRIMINAL APPLICATION NO. 53 OF 2016**

**WITH
CRIMINAL APPLICATION NO. 54 OF 2016**

**WITH
CRIMINAL APPLICATION NO. 55 OF 2016**

**WITH
CRIMINAL APPLICATION NO. 56 OF 2016**

**WITH
CRIMINAL APPLICATION NO. 155 OF 2016**

**WITH
CRIMINAL APPLICATION NO. 156 OF 2016**

**WITH
CRIMINAL APPLICATION NO. 157 OF 2016**

**WITH
CRIMINAL APPLICATION NO. 158 OF 2016**

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CRIMINAL APPLICATION NO. 163 OF 2016**

**WITH
CRIMINAL APPLICATION NO. 164 OF 2016**

**WITH
CRIMINAL APPLICATION NO. 400 OF 2016**

**WITH
CRIMINAL APPLICATION NO. 401 OF 2016**

**WITH
CRIMINAL APPLICATION NO. 402 OF 2016**

**WITH
CRIMINAL APPLICATION NO. 403 OF 2016**

Anuradha K. Agarwal & anr. ...Applicants

Versus

The State of Maharashtra & anr. ...Respondents

Mr. Kiran Jain, i/b Kiran Jain & Co., for the Applicants.
Smt. Rutuja Ambekar, APP for the State in Sr. No.901.
Smt. Veera Shinde, APP for the State in Sr. No.48.
Mr. M. G. Shukla, for Respondent no.2.

CORAM: A. S. GADKARI, J

DATED: 24th AUGUST, 2018

PC:-

1. Rule. Rule made returnable forthwith. By consent of the parties heard finally.

2. According to the applicants, there were no sufficient grounds for proceedings against them and that process ought not to have been issued against them. The Applicants have relied upon Form No.32 filed with Registrar of Companies,

which according to the applicants, indicates that the applicants had ceased to be the Director of the accused company in the year 2001 itself.

3. The learned Counsel for Respondent no.2/original complainant, submits that in view of the record produced by the Applicants, Respondent no.2 is satisfied that the Applicants need not be prosecuted in respect of the alleged offence. The learned Counsel for the Respondent no.2 specifically states that, there is no objection if the prosecution against the Applicants, who are original accused Nos.7 and 8, is quashed.

4. In view thereof, the applications are allowed.

5. The order issuing process, in so far as it relates to the Applicants, is quashed and set aside.

6. The learned Magistrate shall proceed with the case further in accordance with law.

7. Rule is made absolute in the above terms.

Santosh
Subhash
Kulkarni

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by Santosh
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Date:
2018.08.27
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[A. S. GADKARI, J.]