

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1426 OF 2018

IN

CRIMINAL APPEAL NO.70 OF 2015

Hybrid Financial Services Ltd.

(Formerly known as Mafatlal Finance Co.Ltd) ... **Applicant**

V/s.

M/s.Elbee Services Ltd. & Ors.

... **Respondents**

....

Mr.Fauzan Shaikh with Mr.Anukul B. Seth i/b. Mr.R.V.Pillai,
Advocate for the Applicant.

Mrs.M.R.Tidke, APP for the Respondent No.3/State.

....

CORAM : A.M.BADAR J.

DATED : 20th FEBRUARY 2019.

P.C. :

1 This is an application for substituted service on
respondent Nos.1 and 2/original accused.

2 Heard the learned Counsel appearing for the
applicant/original complainant. Perused the copy of complaint as
well as the impugned Judgment and Order passed thereon by the
learned Metropolitan Magistrate, 28th Court, Esplanade, Mumbai.
It is seen that respondent Nos.1 and 2 were served at the address

given in the complaint which is identical with the address given in the appeal. However, efforts to serve them on the given address could not yielded any result as the Serving Officer has reported that the respondent Nos.1 and 2 are not found on the given address.

3 In this view of the matter, the applicant/appellant is permitted to serve the respondent Nos.1 and 2 by affixing one of the duplicate of the summons on some conspicuous place of the structure available on the address given so also by publishing the summons in daily newspaper 'Time of India' and 'Navakal' in Hindi in Marathi edition.

4 The application is disposed of accordingly.

(A.M.BADAR J.)