

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1451 OF 2019

IN

CRIMINAL APPEAL NO.346 OF 2016

HD FIRE PROJECT PVT. LTD.)...APPLICANT

V/s.

P.S.TECHCOM PVT. LTD AND ORS.)...RESPONDENTS

Mr.U.L.Shah, Advocate for the Applicant.

Mr.Vinod Chate, APP for the Respondent - State.

CORAM : A. M. BADAR, J.

DATE : 30th AUGUST 2019

P.C. :

1 This is an application for substituted service on respondent no.3/original accused no.3 Subhash Seshmani.

2 Perusal of the impugned judgment shows that respondent no.3 was served on the address given in the complaint. Perusal of the report dated 3rd June 2019 sent by the City Civil

Court, Bangalore, shows that an attempt was made to serve the respondent no.3 on the very same address but it was informed that the respondent no.3 is not available on the said address and his whereabouts are not known. It is, thus, clear that the respondent no.3 is keeping away from the court and he cannot be served by usual mode of service.

3 In this view of the matter, the appellant is directed to serve the respondent no.3 by affixing copy of the summons on the court house at the place of abode of the respondent no.3 as well as the last known address of the respondent no.3. Similarly, the notice be also served by publishing the same in local daily having wide circulation in Bangalore i.e. the town of last residence of the respondent no.3.

With these directions, the application stands disposed off.

(A. M. BADAR, J.)