

Anand

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

WRIT PETITION NO. 4439 OF 2018

Syed Adil Umair .Petitioner

Vs.

The State of Maharashtra & ors. .Respondents

**WITH
WRIT PETITION NO. 4442 OF 2018**

Ramkumar Vittal Kumar .Petitioner

Vs.

The State of Maharashtra & ors. .Respondents

Mr. A. Malik, Advocate, for the Petitioners **in both matters**
Mr. A. D. Kamkhedkar, APP, for the Respondents – State **in both matters**

**CORAM : B. P. DHARMADHIKARI &
REVATI MOHITE DERE, JJ.**

DATE : 26.02.2019

P.C.

. Learned APP upon instructions states that investigation is over and Petitioners are already informed that it is a Civil dispute.

2. We have heard learned counsel for Petitioners. Petitioner, a Software Developer claims that he was induced to shift from Delhi / Chennai to Mumbai, provided an office with necessary infrastructure where he developed an android based software for use by Pharmaceutical Companies. After the software was developed, Petitioner has been thrown away and the software developed with its passwords is now in custody of Respondent – Accused.

3. We find that several disputed questions arise and in absence of necessary material in proceedings filed before us, we are not in a position to find any fault with finding of police.

4. We, however, keep contention of Petitioner open and with liberty to Petitioner to take such steps as are open in law, dispose of Petitions.

(REVATI MOHITE DERE, J.)

(B. P. DHARMADHIKARI, J.)