



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION NO. 250 OF 2024

Glaxosithkline Pharmaceuticals Ltd.

Vs.

State of Maharashtra and another

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri Anil S. Mardikar, Senior Advocate a/w. Shri Sumit G. Joshi, Advocate
for petitioner.

Ms. Shamshi Haider, APP for respondent no. 1/State.

CORAM :- M. W. CHANDWANI, J.

DATED :- 21.03.2024

Heard.

2. The petition challenges the order dated 16.02.2024 passed by the Judicial Magistrate First Class (JMFC), Akola in Regular Criminal Case No. 153/2023, whereby the search warrant against the office of Chief Commercial Officer of the petitioner has been issued.

3. The contention is that respondent no. 2 was terminated by the petitioner due to his poor performance. He lodged a complaint before the Labour Court, Nanded wherein the interim relief was rejected. The respondent no. 2 then approached the Police but, the Police refused to take cognizance of his complaint. Thereafter, the respondent no. 2 filed a complaint under Section 156(3) of the Code of Criminal Procedure (CrPC) for directions to the investigate the matter, which came to be refused

and the application filed under Section 156(3) of the CrPC is treated as Regular Criminal Complaint.

4. Pending the Regular Criminal Complaint, the respondent no. 2 applied for issuance of summons to produce documents. Accordingly, the summons came to be issued to the petitioner to produce the documents. Failing to produce the said documents, an application under Section 93 of the CrPC came to be filed for issuance of search warrant. By an order dated 01.04.2023, a search warrant came to be issued by the JMFC, Akola.

5. It is the contention of the learned Senior Counsel that after the search warrant, the Police took search of the office of the petitioner and got the document (email) i.e. performance report of the respondent no. 2. It is contented that inspite of producing the said documents by the Police, again a search warrant came to be issued, on the submission of the respondent no. 2, that those documents are not sufficient and therefore, by the impugned order dated 16.02.2024, again a search warrant came to be issued by the JMFC, Akola.

6. Issue notice to the respondents, returnable within two weeks.

7. The learned APP waives service of notice for respondent no. 1/State.

8. Considering the submission that inspite of earlier search and production of the documents by the Police, again a search warrant came to be issued and that too when the Labour Court has denied interim relief to the respondent no. 2, there shall be stay to the effect and operation of the impugned order dated 16.02.2024 till the next date of hearing.

9. Authenticate copy of this order be supplied to the parties.

(M. W. CHANDWANI, J.)