

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

**CRIMINAL APPLICATION (ST) NO.21950 OF 2024
(FOR LEAVE TO FILE APPEAL)**

Nirali Biren Shah

.... Applicant

V/s.

Helios & Matheson Information Respondents
Technology Ltd. & Ors.

Ms.Tanvi Rane i/b Infini Legal Solutions, for the Applicant.
Mr.Ashok Gawai, for the Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 20th MARCH 2025

P.C:-

. Heard learned counsel for the Applicant.

2. The learned counsel for the Applicant submit that, in companion matter this Court (Coram : P.K. Chavan, J.) by order dated 6th February 2025 has quashed and set aside the order passed by the learned Metropolitan Magistrate, 33th Court, Ballard Pier at Mazgaon, Mumbai. Hence, requested to pass the same order.

3. I have heard both learned counsel.

4. Considering the submission of learned counsel for the Applicant and learned APP as well as order passed by the Court of (Coram : P.K. Chavan, J.) in the companion matter, the Applications are allowed. The order passed by the Metropolitan Magistrate, 33th Court, Ballard Pier at Mazgaon, Mumbai on 8th December 2023 is quashed and set aside. The Complaint No.CC.No.10091/SS/2015 is restored to file of the Metropolitan Magistrate, 33th Court, Ballard Pier at Mazgaon. The acquittal of the accused is also quashed and set aside. The Complainant and Advocate shall appear before the learned Metropolitan Magistrate, 33th Court, Ballard Pier at Mazgaon, Mumbai on 21st April 2025 at 11.00 a.m.

(SHIVKUMAR DIGE, J.)