

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

**INTERIM APPLICATION NO. 552 OF 2026
IN
CRIMINAL WRIT PETITION NO. 3470 OF 2019**

Miss. XYZ

Age- 28 Years, Occ: Service
Through Marine Drive Police
Station, Mumbai

...Applicant

V/s

1. State of Maharashtra
At the Instance of Marine Drive
Police Station, Mumbai.

2. Mr. Ashish Jain
Managing Director at Rishabh Metals and
Chemicals Pvt Ltd.
A Company registered under
The Companies Act, 1956
Having its registered address at
4th Floor, Eros theatre Building, J.
Tata Road, Churchgate, Mumbai.

3. Mr. Jitendra Wani,
Adult, Occ : Service (Law Officer);
The Law Officer
Rishabh Metals and Chemicals Pvt Ltd.,
A Company registered under the
Companies Act, 1956
Having its registered address at
4th Floor, Eros Theatre Building, J.
Tata Road, Churchgate, Mumbai.

...Respondents

Mr. Karan Jain for the Applicant.
Mr. V. A. Kulkarni, APP for the Respondent-State.
Mr. Tanmay Karmarkar for the Respondent No. 2 and 3.

CORAM : RANJITSINHA RAJA BHONSALE , J.
DATED : 20th FEBRUARY, 2026.

P. C. :-

1. The present Interim Application has been filed by the Applicant seeking necessary Order and directions for masking the name of the Applicant as “XYZ” in Criminal Writ Petition No. 3470 of 2019.
2. Heard. Mr. Karan Jain, learned Advocate for the Applicant, Mr. V. A. Kulkarni, learned APP for the Respondent-State, Mr. Tanmay Karmarkar for the Respondent Nos. 2 and 3 and perused the record.
3. Learned Advocate for the Applicant submits that the FIR bearing No. 17 of 2019 was registered with Marine Drive Police Station, Mumbai for offences punishable under Sections 408, 409, 420 and 34 of the Indian Penal Code and Section 66 and 66(B) of the Information Technology Act, 2000. That, the Applicant is the daughter of Anu Rajesh Saigal and Rajesh Gulshan Saigal. That, the entire family including the brother of the Applicant Mr. Ankit Rajesh Saigal and her parents were roped in the aforesaid criminal proceedings.
4. That, the Father of the Applicant was an employee of M/s Rishabh Metals and Chemicals Pvt. Ltd. (RMCPL) and holding the post of the Vice President in the Company. That, RMCPL was carrying on business and dealing in a range of specialty chemicals, bulk drugs, instruments and equipment for specialised applications in various industry segment

including Water, Waste Water treatment, Paper, Textiles, etc.

5. That, the FIR was registered at instance of Respondent No. 3 who was the Law Officer of RMCPL. That, the father of the Applicant was serving in the capacity of Vice President in RMCPL from October 2013 to November 2018. That, a partnership firm by the name of Tetrakem, was floated by the father and mother of the Applicant and one Nupur Gupta, was a partner in the said firm along with the parents of the Applicant. That, the said firm was appointed as an agent of RMCPL. That, the allegations in the FIR against Applicant's father were that he had floated the partnership firm and joined RMCPL with the intention of siphoning off the funds from RMCPL. It was alleged that, the Applicant's father has also floated a private company by the name "Akoskem Pvt. Ltd." in Singapore as business rival for competing with the business of RMCPL. The allegations against the Applicant's father were that he used confidential data of RMCPL and thereby caused massive losses to the RMCPL. As far as the present Applicant is concerned, the record indicates that, the she was employee of Crescent Entertainment and Tourism Limited, a sister concern of RMCPL. It is alleged that the Applicant's father had sent her certain confidential and sensitive information of RMCPL.

6. This Court, after hearing the parties, by Order dated 24th July 2019 passed in Criminal Writ Petition No. 3470 of 2019, was pleased to quash the criminal proceedings qua the Applicant as there was no material

against the present Applicant so as to attract Section 34 of the Indian Penal Code. That, the documents which were referred in the FIR were e-mails disclosing communication between brother and father of the Applicant regarding preparation of the visiting cards and the logo's to be used on the letter head. Though copies of the e-mail were marked to the Applicant it was admitted position that, the Applicant had not replied to the said e-mail. This Court after considering the said facts, quashed the FIR qua the Applicant.

7. Learned Advocate for the Applicant would further submit that, after quashing of the FIR qua the Applicant, the Complainant had entered into Consent Terms with the parents of the Applicant which were filed before the Hon'ble Sessions Court in Anticipatory Bail Application No. 649 of 2019. Under the said Consent Terms, also annexed to the present Application, the parties mutually agreed that Rajesh Gulshan Saigal and Anu Rajesh Saigal would collectively with other parties pay the company a total amount of Rs. 2,50,00,000/- based on which the entire matter came to be settled.

8. Learned Advocate for the Applicant submits that, the Consent Terms had been acted upon the parties have complied with their respective obligation in the said Consent Terms. Learned Advocate for the Applicant would further submit that, the Applicant has finished her education and now has applied Klynveld Peat Marwick Goerdeler (KPMG Assurance and

Consulting Services LLP) for employment. That, in the background verification undertaken by KPMG, the name of the Applicant has appeared in the Order dated 24th July 2019 in Criminal Writ Petition No. 3470 of 2019 on the internet of the official website of this Court. He submits that, in these background facts the Applicant prays for masking of the name of the Applicant as “XYZ” in Criminal Writ Petition No. 3470 of 2019.

9. Learned Advocate for the Respondent Nos. 2 and 3 submitted that, though he did not have any instruction in respect of the present Application, he would reiterate and confirm the fact that, the FIR as against the Applicant has been quashed and set aside and that the Consent Terms had filed and complied with by the parties. Learned Advocate for the Respondent No. 2 and 3 submitted that, he had appeared in the main matter and sought time to take instructions in the matter with regards to prayer of masking of the name of Applicant in the Writ Petition No. 3470 of 2019.

10. Perused the entire record so also the Order dated 24th July 2019 and the Consent Terms. As far as the Applicant is concerned, the FIR qua the Applicant has been quashed on merits by an Order dated 24th July 2019. The Consent Terms on record indicate that the parties have settled the matter and all payment in respect thereof have been made.

11. Considering the facts of the present case, I am of the view that there can be no valid reason to object to the prayer as sought. In the

present case the crime was registered against Applicant in the year 2019, which has been quashed on merits as against the Applicant. The parties have, thereafter settled the entire matter by filing the Consent Terms dated 13th December 2019. A period of 6 years has gone by since then. As the name of the Applicant, is appearing in the Order of the Court on the Official Website, even after the 6 years the Applicant is being questioned in respect of the matter in which she has succeeded on merits. The matter against the Applicant has been quashed on merits after hearing the parties. The said Order dated 24th July 2019 not being challenged and has attained finality. Pertinent to note that, the queries in respect of the said matter have been raised by the employer at the time of doing a background check. I am of the opinion that, the present Applicant is for no valid reasons, facing a scrutiny and questions are being raised in matter in which the Applicant has succeeded on merits.

12. The prayer in the present Application, is for masking the name of the Applicant in Writ Petition No. 3470 of 2019. I see no prejudice that would possibly be caused to the Respondents/Complainant if the said prayer is granted particularly in the background and facts of the present case that FIR against the present Applicant is quashed on merits and further that the Respondents have amicably settled the matter with the parents of the Applicant and accepted the amounts under the Consent Terms. In view thereof, I am inclined to grant the Application for masking

the name of the Applicant as “XYZ” in Criminal Writ Petition No. 3470 of 2019.

13. Hence the following Orders :-

i) Application is allowed in terms of prayer clause (a).

(RANJITSINHA RAJA BHONSALE, J.)