

IN THE COURT OF ADDL.CHIEF JUDICIAL MAGISTRATE
24TH COURT, BORIVALI, MUMBAI.

C. C. No.2135/M/2024

Shailendra Harishchandra Bhagat

.... Applicant

v/s.

Harish Mohanlal Sethiya

.... Respondents

ORDER BELOW EXH. 1

Perused the application supported by the affidavit of the applicant. So also perused report filed by Malwani police station at Exh.3. It has been stated in the application that the respondent / proposed accused was working in the applicant/complainant's company as a Sale Manager and was in the possession of multiple sensitive data of the company in virtual and physical format. On 03/02/2024 the respondent left his company without prior intimation alongwith the complainant company's data. Now he is illegally sharing the database and vital information of complainant's company with other companies. Hence, the complainant suffered huge loss of Rs.1,50,00,000/- and Rs.15,00,000/- in the current financial year. The applicant has been cheated to the tune of Rs.42,000/- which he supposed to give to the company. It has also been stated in the application that the respondent has committed breach of trust by dishonestly withholding the money which belonged to him legally. They have also threatened him with dire consequences and thus committed an offence of criminal intimidation.

2. Heard Ld. Advocate for the applicant. I am of the opinion that there is disclosure of the offences u/secs.314, 316(1), 318(1) and 351(1) of BNS.

3. As there is disclosure of commission of cognizable offence in the application, therefore, the said offence is necessary to be investigated by the police. Hence, I pass following order.

ORDER

1. The application of the applicant is hereby allowed.
2. The officer in-charge of the Police Station, Malwani, is hereby directed to investigate the matter as alleged, as per section 175(3) of BNSS and submit the final report to this

court.

3. Complaint with documents be forwarded to Malwani police station for necessary action.
4. Proceeding stands disposed of accordingly.

sd/-

(B.N.Chikne)

Addl. Chief Judicial Magistrate,
24th Court, Borivali, Mumbai.

Mumbai.

Date : 19/09/2025

ASD.