

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION(APPP) NO. 644 OF 2016

IN

CRIMINAL APPLICATION(APL) NO. 288 OF 2016

(M/S. F.A. CONSTRUCTION & ANR...VS..STATE OF MAH. THR. SP ACB, NAGPUR & OTHERS)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

CORAM : Z.A.HAQ, J.

DATED : MAY 13, 2016.

Heard Shri Shyam Dewani, advocate for the applicants and Shri N.B.Jawade, A.P.P. for the non-applicant No.1.

The applicants have moved this application praying that the non-applicant Nos. 2 to 5 be directed to defreeze the accounts freezed as per communications dated 7th April, 2016 (Page Nos. 36 to 39 of the paper book). This Court had not granted relief in respect of the above prayer when order dated 5th May, 2016 was passed. However, the applicant has now filed pursis dated 13th May, 2016 under the signature of the learned advocate for the applicant stating that the applicants will furnishing solvency certificate/ letter from the bank to the extent of the amount lying in the bank accounts in respect of which the relief is being sought by the applicants.

Though the learned A.P.P. has opposed the application, the non-applicant No.1 has not been able to point out the prejudice which may be caused to the non-applicant

No.1 if the applicants are permitted to operate accounts after furnishing the solvency certificate/ letter from one of the nationalized bank where the accounts of the applicants exist.

Considering the reasons given by the applicants in the application, following order is passed :

After the applicants furnish Solvency Certificate/ Letter from the Nationalized Bank to the extent of the amount lying in the Current Account No. 319201010041919 and Current Account No. 319204040016048 in Union Bank of India, Santacruz (W), Branch, Mumbai, Current Account No. 1101/2372 in Bombay Mercantile Co-op. Bank Ltd., Bandra (W), Branch, Mumbai, Current Account No.790626741 in Indian Bank, Bandra (W), Branch, Mumbai and Current Account No. 0207201004447 in Canara Bank, Khar (W), Branch, Mumbai, the applicants shall be permitted to operate the accounts until further orders.

The application is disposed of accordingly.

JUDGE