

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

CRIMINAL WRIT PETITION NO.688 OF 2016

Dr. Ramakant Pandey

...Petitioner

Versus

The State of Maharashtra & ors.

...Respondents

Mr. S. R. Pandey for the petitioner.

Mr. H. J. Dedhia, APP for the respondent – State.

Mr. H. S. Venegaonkar for the CBI.

Mr. Arjun Pawar i/b. Mr. Vivek Patil for respondent no.4.

CORAM : PRAKASH D. NAIK, J.

DATE : 23rd AUGUST, 2017.

P.C. :

1. The petitioner has approached this Court, in view of the stringent conditions imposed by the Special Court (CBI Cases) while relaxing the property / de-freezing the saving account of the petitioner by order dated 25th August, 2015.

2. The account of the petitioner was freezed during the course of investigation conducted by the respondents. Learned advocate for respondent no.2 submitted that the aforesaid order was passed when the investigation was in progress. The said fact has been stated in para-9 of the reply filed by respondent no.2 in this Court.

3. In view of the above, the petitioner can be directed to prefer a fresh application before the Special Court (CBI cases) for the relief as prayed in this petition. It is noted that the Special Court vide aforesaid order had allowed the application, however, the stringent condition were imposed for de-freezing saving account of the petitioner which is under challenge in this Court.

4. Considering the fact that the at the time when the aforesaid order was passed the investigation was in progress, the petitioner can be permitted to prefer a fresh application in view of completion of of investigation and filing the chargesheet for the relaxation of the conditions imposed in order dated 25th August, 2015. Hence, I pass following order;

:: ORDER ::

- (i) The petitioner is permitted to prefer a fresh application before the Special Court (CBI cases) for relaxation of the condition imposed by the Special Court in order dated 25th August, 2015 for de-freezing the saving account of the petitioner.
- (ii) Writ Petition stands disposed of.

[PRAKASH D. NAIK, J.]