

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

CRIMINAL WRIT PETITION NO. 1514 OF 2020

Abhishek Avinash Kulkarni & Ors.

...Petitioners

Versus

The State of Maharashtra

...Respondent

...

Mr. Chaitanya Kulkarni i/b. Mr. Sushant Walimbe a/w. Mr. Abhinav Tewari
for Petitioners.

Mr. J.P. Yagnik, APP for State.

...

**CORAM : S. S. SHINDE &
MANISH PITALE, JJ.**

DATE : 17th FEBRUARY, 2021.

P.C.:

1. This petitions is filed with following substantive prayer

a) That this Hon'ble Court may kindly be pleased to direct the EOW Nashik (which is investigating C.R. No. 271/2018 registered with Upanagar Police Station, Nashik) to defreeze Account No. 122110100000056 in the name of Shivantha Venture Pvt. Ltd with Bassein Catholic Co-Operative Bank Ltd, Nashik Road whose signatory are Petitioner No 1 & 2, and Account No. 10980262841 in the name of Petitioner No 3 with State Bank of India, Old Agra Road, Nashik which is a pension account in connection with FIR bearing C.R. No. I 271/2018 dated 11/7/2018 registered at Upanagar Police Station, Dist: Nashik against the present Petitioners for allegedly having committed the offences punishable under sections 420, 406 r/w. 34 of Indian Penal Code;

2. This Court by judgment dated 29.09.2020 disposed of the Criminal Writ Petition Stamp No. 2388 of 2020 (Mr. Abhishek Kulkarni Vs. The State of Maharashtra & Anr.) along with Criminal Writ Petition Stamp N. 2374 of 2020 (Omkar Kalamkar & Ors. Vs. The State of Maharashtra & Anr.), wherein this Court has quashed the FIR No. I-271 of 2018 registered with Upnagar Police Station, Dist. Nashik, for the offences punishable under Section 420, 406 read with 34 of IPC. It appears that the Petitioner inadvertently did not make prayer for defreezing of accounts which were seized during the course of investigation of aforesaid FIR.

3. Learned APP appearing for State fairly submits that the accounts of petitioners were seized during the course of investigation of the aforesaid crime and the investigating officer has no objection for allowing the prayer of the petitioner.

4. In that view of the matter, the writ petition is allowed in terms of prayer clause (a). The writ petition stands disposed of accordingly.

5. The investigating officer to take follow-up action.

(MANISH PITALE, J.)

(S. S. SHINDE, J.)