

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1315 of 2022

Soubhagya Shankar Biswal *Petitioner*
Mr. S. Jena, Advocate
-versus-

State of Odisha (Vigilance) *Opposite Party*
Mr. N. Maharana, A.S.C. for
Vigilance Department

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

17.05.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard Mr. Suryakanta Jena, learned counsel for the Petitioners, and Mr. Niranjana Maharana, learned Addl. Standing Counsel for the Vigilance Department.
3. This is an application under Section 482 of the Cr.P.C. The Petitioners are aggrieved by freezing of their bank accounts standing in different banks at the instance of Vigilance Police in connection with V.G.R. No.14/2019 pending before the learned Special Judge (Vigilance), Balasore registered against one Nagendra Kumr Biswal for the alleged commission of offence under Section 13(2) read with 13(1)(b) of the P.C. (Amendment) Act, 2018. It is submitted that the present Petitioners are relations of the said accused persons, but are in no way connected with the case in question. It is further submitted that because of such freezing of the concerned Bank accounts they

have been put to unnecessary inconvenience and harassment. It is also contended that the provisions of Section 102 of Cr.P.C. have not been adhered to by the Investigating Officer at all.

4. Mr. Maharana, learned counsel Addl. Standing Counsel appearing the Vigilance Department, fairly submits that the present Petitioners are not implicated in the V.G.R. case in question and that the Bank accounts came to light during search of their house. There is, however, no specific material showing their involvement in the present case.

5. Having regard to the submissions as above, this Court feels that freezing of the Bank accounts of the Petitioners at the instance of Vigilance Police in connection with the Vigilance Case in which the present Petitioners have no role to play, is not justified. The prayer of the Petitioners is, therefore, allowed. The Investigating Officer is directed to take necessary steps for de-freezing of the Bank Account bearing No.14992191076847 of Punjab National Bank, Basudevpur Branch, Bhadrak, A/c. No.50300352292592 and 50300354414359 of HDFC Bank, Janpath Branch, Bhubaneswar of the present Petitioner as early as possible, preferably within a period of fifteen days from the date of receipt of copy of this order.

The CRLMC is disposed of.

A free copy of this order be given to Mr. N.Maharana, learned Addl. Standing Counsel for the Vigilance Department. Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge

