

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1613 of 2022

***Das Pravat Kumar Chagla and
another*** ***Petitioners***

Mr. Suryakanta Jena, Advocate

-versus-

State of Odisha (Vigilance) ***Opposite Parties***
*Mr. N. Maharana,
Additional Standing Counsel for the
Vigilance Department*

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

17.06.2022

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. Niranjan 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 Department in connection with Cuttack Vigilance Cell P.S. Case No.6 of 2016 registered against the younger brother of the petitioner No.1-Das Pravat Kumar Chagla for alleged commission of offence under Section 13(2) read with Section 13(1)(e) of the P.C. Act, 1988. It is submitted that the present petitioners are relations of the accused

person, but they 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 for the Vigilance Department fairly submits that the present petitioners are not implicated in V.G.R. case in question and that the Bank accounts in question 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 Department 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 Accounts bearing FD Nos. 3176108741, 3175977564, 3175978331 and RD A/c. No. 3320879880 in the Central Bank of India, Dhamara Branch, Bhadrak, F.D. A/c. No. 24669 in the name of Das Pravat Kumar Chagla in Allahabad Bank, Bhadrak, F.D. A/c. No. 3322340214 and RD A/c. No. 3320858395 in Central Bank of India, Dhamara Branch, Bhadrak, FD A/c. No. 24904 in Allahabad Bank, Bhadrak in the name of Smt. Sujata Das and the present Petitioners as early as possible, preferably within a period of fifteen days from the date of receipt of copy of this order.

6. With the aforesaid observation and direction, the CRLMC is

disposed of.

Urgent certified copy of this order be granted on proper application.

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)
Vacation Judge

Jagabandhu

