

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

**INTERIM APPLICATION NO. 875 OF 2022
IN
WRIT PETITION NO. 681 OF 2021**

SDS Broking and Treading Auctioning
Center OPC Pvt. Ltd. Through
Sudhir Dhananjay Saode and Anr.

...Applicants/Petitioners

vs.

The State of Maharashtra

...Respondent

Mr. Manoj Patil i/by Mr. Uday B. Gavali - Advocate for the
Applicants/Petitioners

Ms. A. S. Pai – PP for the Respondent No. 1

**CORAM : PRASANNA B. VARALE &
S. M. MODAK, JJ.**

DATE : 16th MARCH, 2022

P. C. :-

. By way of present application, the Applicants-Petitioners prayed for an amendment to the petition by deletion of prayer Clause “D” of the Petition.

2. The learned counsel for the Applicants-Petitioners invited our attention to the prayer Clause “D” of the Petition and then submitted that the Applicant had availed appropriate remedy for de-sealing the bank account and pursuant to that remedy, application under Section 457 of the Criminal Procedure Code was filed before the learned 30th Metropolitan

Magistrate Kurla.

3. The learned counsel for the Applicant invited our attention to the paragraph no. 7 of the application to submit that though the application was rejected by an Order dated 07/07/2021, the said Order came before the Learned Sessions Judge, Mumbai by presenting a revision. The said revision is also disposed of by an Order dated 11/10/2021 by confirming the Order of learned 30th Metropolitan Magistrate, Kurla. The said Orders are subject matter of Criminal Writ Petition No. 4110 of 2021. As such the Petitioners are permitted to delete the prayer Clause “D” of the Petition No. 681 of 2021. Amendment to be carried out till 21/03/2022.

4. In view of the above submission of the learned counsel, in our opinion, the learned counsel for the Petitioner made out the case for allowing the application in terms of prayer Clause “a” and Interim application No. 875 of 2022 is disposed of accordingly.

(S. M. MODAK, J.)

(PRASANNA B. VARALE, J.)