

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL REVISION APPLICATION NO. 238 OF 2022**

Aniruddha Yashwant Joshi ...Applicant
Versus
State Of Maharashtra And Anr. ...Respondent

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Mr. Anurag Kulkarni, Advocate for the Applicant.
Mr. H. S. Venegavkar, Special PP for Respondent No.2-CBI.
Mr. A. R. Patil, APP for the Respondent – State.

**CORAM : PRAKASH D. NAIK, J.
DATE : 13th SEPTEMBER, 2022.**

PER COURT:

1. The applicant has assailed order dated 20th October, 2021, passed by Special Court, CBI rejecting Miscellaneous Application (Exhibit-195) in CBI Special Case No.37 of 2018
2. The applicant is the son of the Accused No.7, in CBI Special Case No.37 of 2018 relating to offences punishable under Section 120-B read with Sections 409 and 420 of the Indian Penal Code (for short, 'I.P.C.') and Section 13(2) read with Sections 13(1)(c) and 13(1)(d) of the Prevention of Corruption Act.
3. The applicant filed application for return of his Fixed Deposit Receipt account No.436500DA00004188, issued by Punjab National Bank, MIDC, Dombivali, East Branch which was seized during search and seizure on 19, February, 2018.

4. Learned counsel for the Respondent - C.B.I. tendered letter dated 13th September, 2022 issued by Head of the Branch, C.B.I. BSFB Mumbai, indicating no objection for allowing the prayer in this Application. The said letter is taken on record and marked as 'X' for identification.

5. The contention of applicant is that, his father is accused in the case. The seized fixed deposit has no nexus with the case considering the aforesaid facts, I pass the following order:-

ORDER

- i. Criminal Revision Application No. 238 of 2022 is allowed.
- ii. Order dated 20th October, 2021 passed by C.B.I. Special Judge, City Civil & Sessions Court, Greater Bombay rejecting Application Exhibit-195 is set aside.
- iii. The fix deposit receipt seized by C.B.I. in Special Case No.37 of 2018 vide seizure dated 19th February, 2018, viz. Fixed Deposit Account No. 436500DA00004188 issued by Punjab National Bank, MIDC, Dombivali, East Branch be returned to Applicant.
- iv. Application is disposed off.

(PRAKASH D. NAIK, J.)