

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 2202 OF 2022

M/S. 63 MOONS TECHNOLOGIES LTD.)
AND ANOTHER)...PETITIONERS

V/s.

THE STATE OF MAHARASHTRA & ANR.)...RESPONDENTS

Mr. Aabad Ponda, Senior counsel a/w. Mr. Arvind Lakhawat, Mrs. Manik Joshi, Mr. Vrushabh Vig i/by. Crawford Bayley, Advocate for the Petitioner.

Mr. Avinash Avhad, Special Public Prosecutor with Mr. Mahesh Rawool, Advocate for Respondent No.1 – EOW.

Mr. V. B. KondeDeshmukh, APP for the Respondent – State.

Mr.Prakash Bagal, Assistant Police Inspector, Economic Offences Wing present in the Court.

**CORAM : REVATI MOHITE DERE &
V. G. BISHT, JJ.**

DATE : 1st JULY 2022

P.C. :

1 By this petition, the petitioner seeks quashing and setting aside of the impugned notices dated 18th June 2022 and 21st June 2022 which are at Exhibits A and B to the petition. The said notices are issued by respondent no.1 Prakash Bagal, Inspector of Police, EOW to the Managing Director, 63 Moons Technologies Limited - petitioner no.1.

2 Learned senior counsel for the petitioner submits that the petitioner has filed an application under Section 9 of the Maharashtra Protection of Interest of Depositors Act (MPID Act) before the learned Special Judge, MPID, Mumbai, and that, during the pendency of the said application, the respondent no.1 has issued the impugned notices dated 18th June 2022 and 21st June 2022. He submits that the respondent no.1 is likely to attach the said properties which are the subject matter of the application filed by the petitioner before the learned Special Judge (MPID).

3 Mr. Avinash Avhad, learned Special Public Prosecutor appearing for all the respondents, on instructions, submits that the

respondent no.2 – Secretary, Home Department, will not attach the properties which are the subject matter of the application filed before the learned Special Judge, MPID, Mumbai, till the said application is disposed of by the learned Special Judge. Statement accepted.

4 In view of aforesaid, nothing survives for further consideration in the petition. The petition stands disposed of accordingly.

5 It is made clear, that we have not gone into the merits of the petition and as such, all contentions of all parties are kept open.

6 Needless to state that the learned Special Judge, MPID, Mumbai, shall decide the said application filed before it expeditiously.

7 All concerned to act on the authenticated copy of this order.

(V. G. BISHT, J.)

(REVATI MOHITE DERE, J.)