

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 3947 OF 2022**

Ideal Chemicals (INDIA) Private Limited ... Petitioner
V/s.
The State of Maharashtra ... Respondent

Mr.Kushal Mor a/w. Mr.Prakhar Parekh & Mr.Aman Sadiwala i/b. Rashmikant and Partners for Petitioner.

Ms.M.H. Mhatre, A.P.P for Respondent-State.

API Mr.J.D. Panhale, EOW Thane City is present.

**CORAM : A. S. GADKARI AND
PRAKASH D. NAIK, JJ.**

DATE : 25th November 2022.

PC. :

1. By the present Petition, Petitioner-Company has impugned Notice dated 19th September 2022 issued by the Investigating Officer of CR No.403 of 2021, dated 23rd November 2021 registered with Thane City Police Station under Sections 406, 409, 420 read with 34 of Indian Penal Code (*for short, "I.P.C."*) and Section 3 of The Maharashtra Protection of Interest of Depositors in (in Financial Establishments) Act, 1999 (*for short, "M.P.I.D. Act"*).

2. By the impugned notice issued under Section 91 of Criminal Procedure Code, the Investigating Officer has directed the Branch Officer of Union Bank of India to "Debit Freeze" the account of Petitioner held in the

said bank.

3. As according to us, under Section 91 of Cr.P.C. such a direction to 'debit freeze' the bank account of the Petitioner cannot be issued.

The learned A.P.P. on instructions from the Investigating Officer API Mr.J.D. Panhale, submitted that the Investigating Officer withdraws the said notice dated 19th September 2022 with immediate effect. She further submitted that, the Investigating Officer will adopt appropriate other necessary measures as may be permissible under Cr.P.C. or any other provision in law and will take necessary steps in that behalf for the purpose of effective investigation in the said crime. Said statement is accepted.

4. In view of the statement made by the Investigating Officer, Petition is partly allowed.

[PRAKASH D. NAIK, J.]

[A.S. GADKARI, J.]

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