

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CRIMINAL WRIT PETITION NO.554 OF 2022

Petitioner : **Sangitrao Pundlikrao Thorat,**
Aged about 52 years, Occ. Retired,
R/o Chaitany Housing Society, Near Joshi Bhavan,
Gourakshan Road, Akola, District Akola.

– Versus –

Respondent : **State of Maharashtra,**
through Police Station Officer,
Ramdaspath, Akola, Tah. & District Akola.

Mr. R.D. Karode, Advocate for the Petitioner
Mrs. M.H. Deshmukh, A.P.P for the Respondent

CORAM : **VINAY JOSHI, J.**
DATE : **23rd SEPTEMBER, 2022.**

ORAL JUDGMENT :-

Rule. Rule made returnable forthwith. Heard finally by consent of both sides.

02] The petitioner, who is accused No.5 in MPID Case No.109/2020, seeks to challenge the order dated 24/03/2022 by which the Special Court has rejected to de-freeze the petitioner's bank account having No.0009000101510063 in Punjab National Bank, Main Branch, Akola. It is submitted that even as per the case of the prosecution, in the enquiry held

under Section 88 of the Maharashtra Cooperative Societies Act, the petitioner's liability was to the extent of Rs.50,000/-. The account which has been freezed by the Investigating Officer, was the petitioner's pension account, which has no relevance at all.

03] The State has filed affidavit-in-reply dated 19/09/2022, which is signed by Shri K.D. Pawar, API, Police Station Ramdaspath, Akola. In reply, it is stated that on verification, it was found that the concernrd account was the petitioner's pension account and thus, they have no objection for de-freezing the account.

04] In view of the above, the following order is passed :

- i. The petition is allowed.
- ii. The Impugned order dated 24/03/2022 passed on Exh.178 in Special M.P.I.D. Case No.109/2020 is set aside.
- iii. The petitioner's above referred bank account with Punjab National Bank is hereby de-freezed.
- iv. The petition stands disposed of. Rule is made absolute in the above terms.

(VINAY JOSHI, J.)

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