

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

CRIMINAL APPLICATION NO.27 OF 2023

Shruti Johari @
Shruti Sharad Teredesai and anotherApplicants
Versus
The State of Maharashtra
and another Respondents

Mr. Niteen V. Pradhan, Advocate a/w. Shubhada D. Khot,
i/b. Ameeta Kuttikrishnan and Anthony Nadar, for the
Applicants.

Mr. Arfan Sait, APP for the Respondent No.1-State.

CORAM : SARANG V. KOTWAL, J.

DATE : 5th JUNE, 2023

P.C. :

1. Leave to amend to annex a copy of Criminal
Misc. Application No.616/2021 is granted. Amendment to
be carried out forthwith.

2. The Applicants are the daughters of the original
Accused No.1 in C.C. No.223/PW/2005 pending before the
Additional Chief Metropolitan Magistrate, 47th Court,
Esplanade, Mumbai. During pendency of the trial, the
Applicants' father passed away. The case arises out of C.R.

No.70/2005 registered at EOW, Unit-III, Mumbai. During the course of investigation, certain properties belonging to the Applicants' father were attached and the bank accounts were freezed. The Applicants moved an application vide Criminal Misc. Application No.616/2021 in the said trial for lifting the attachment and defreezing the bank accounts of their late father. That application was filed on 4.2.2021. After more than two years, said application is still pending. Therefore, the Applicants have preferred this application before this Court for expediting the hearing of said application preferably within a time frame of two weeks from the date of the order which could be passed by this Court.

3. Heard Mr. Niteen Pradhan, learned counsel for the Applicants and Mr. Arfan Sait, learned APP for the Respondent No.1.

4. Though, at this stage, notice is not issued to the Respondent No.2, however, since the case is instituted by the Respondent No.1, I have heard learned APP. In any case, by

passing this order of expediting said application, no prejudice would be caused to the Respondent No.2 as nobody can object for expeditious disposal of the cases.

5. Considering the limited relief sought by the Applicants, I am of the view that said application needs to be decided expeditiously and within a reasonable time frame. All the questions regarding merits of the matter are specifically left open to be decided by the trial Court.

6. Hence, the following order :

:: O R D E R ::

- i. Criminal Misc. Application No.616/2021 preferred by the Applicants in C.C. No.223/PW/2005 before the Additional Chief Metropolitan Magistrate, 47th Court, Esplanade, Mumbai be decided by that Court within a period of four weeks from today.
- ii. With these directions, Criminal Application is disposed of.

(SARANG V. KOTWAL, J.)

Digitally signed
by
PRADIPKUMAR
PRAKASHRAO
DESHMANE
Date:
2023.06.06
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