

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 719 OF 2023**

Jitendra Kalu

... Petitioner

V/s.

State Of Maharashtra And Ors.

... Respondents

Mr. Brijesh Pathak for Petitioner.

Mr. Ajay Patil APP, for Respondent No.1-State.

**CORAM : A.S. GADKARI AND
PRAKASH D. NAIK, JJ.****DATE : 2nd MARCH, 2023.****PC. :**

1. By the present Petition, Petitioner has prayed that, this Court may be pleased to quash and set aside impugned direction/letter issued by Respondent No.2 i.e. Inspector of Police, Cyber Crime Police Station, Hyderabad, to freeze the bank account of Petitioner mentioned in the prayer clause and to allow the operation of the said bank account.

2. Heard Mr. Pathak, learned Advocate for Petitioner and Mr. Patil, learned APP for Respondent No.1-State.

3. Record indicates that, by a letter dated -Nil- issued by the Inspector of Police, Cyber Crime Police Station, Hyderabad i.e. Respondent No.2 herein, had directed the Respondent No.3-Bank to Debit freeze bank Account No.092863400001542 along with other two bank accounts with it. It also directed to provide statement of said bank account, registered mobile

numbers with email IDs and KYC documents. It is stated in the said communication that, the account is fraudulent and the case has accordingly been registered which is under investigation. The Respondent No.3-Bank informed the Respondent No.2 that, as per the directions of Respondent No.2 it has frozen the said account No. 092863400001542.

4. Record indicates that, Respondent No.2 has registered a crime bearing No. 1698 of 2022 with Cyber Crime Police Station, Hyderabad and the investigation of the same is in progress. It appears that, during the course of investigation it is revealed to the Respondent No.2 that, certain fraudulent transactions have been made in the said account of Petitioner and therefore it has directed Respondent No.3 to provide those documents and to assist it in the matter.

5. According to us, the entire cause of action and also issuance of impugned letter dated -Nil- by Respondent No.2, has arisen at Hyderabad, State of Telangana. Merely because the Petitioner herein is residing within the territorial jurisdiction of this Court, who is having bank account at Mumbai, it will not ipso-facto give jurisdiction to this Court to entertain present Petition.

6. In view of the above, we are of the opinion that, the present Petition is without jurisdiction and is accordingly disposed off.

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)