



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

CRIMINAL APPEAL NO. 761 OF 2023

M/s. Seed Infotech Ltd

...Appellant

Versus

The State of Maharashtra and another

...Respondents

Mr. Nitin P. Deshpande for the appellant

Mrs. P. P. Shinde, APP for the State

**CORAM : REVATI MOHITE DERE &
GAURI GODSE, JJ.**

DATE : 12th OCTOBER 2023

P.C. :

1. This appeal is filed to challenge the Judgment and Order dated 6th March 2021 passed below Exhibits 1 and 14 by Additional Sessions Judge, Pune in Criminal Miscellaneous Application No. 179 of 2020 in (CNR No. MHPU01-006715/2020) Special Case No. 306 of 2020.

2. Learned counsel for the appellant submitted that the impugned order is passed on an application filed by the appellant for challenging the order passed by the respondent no. 2 for freezing the appellant's

bank accounts by exercising powers under Section 102 of Code of Criminal Procedure, 1973. Learned counsel further submitted that during the pendency of the present appeal, the State Government has issued Notification dated 13th April 2023 under Section 4 of The Maharashtra Protection of Interest of Depositors (In Financial Establishments) Act ('MPID' Act). He further submitted that pursuant to the said Notification, the appellant's bank accounts as well as other properties are already attached by the competent authority. He therefore submitted that the appellant be granted liberty to adopt appropriate remedies before the appropriate forum for releasing appellant's attached properties and bank accounts including challenging the Notification issued under Section 4 of the MPID Act as permissible in law.

3. Learned APP does not dispute the aforesaid subsequent developments.

4. Hence, in view of the aforesaid, the order passed by the respondent no. 2 under Section 102 of Code of Criminal Procedure,

1973 does not survive. Hence, the following order is passed.

ORDER

I. The Judgment and Order dated 6th March 2021 passed below Exhibits 1 and 14 by Additional Sessions Judge, Pune in Criminal Miscellaneous Application No. 179 of 2020 in (CNR No. MHPU01-006715/2020) Special Case No. 306 of 2020 is quashed and set aside.

II. The letter dated 27th February 2020 issued by the respondent no. 2 in exercise of powers under Section 102 of Code of Criminal Procedure, 1973 directing the respondent no. 3 to freeze the bank accounts of the appellant is quashed and set aside.

III. The appellant is at liberty to take out appropriate proceedings before the appropriate forum for releasing appellant's attached properties and bank accounts by the competent authority pursuant to the Notification issued under Section 4 of the MPID Act as permissible in law.

IV. It is made clear that we have not examined the merits of the appeal, hence, all contentions of all the parties are kept open.

V. Appeal stands disposed of in above terms.

All parties to act on the authenticated copy of this order.

GAURI GODSE, J.

REVATI MOHITE DERE, J.