

2. The prayer in the petition is for quashing of the FIR being Crime No.122 of 2020 registered by the Anti-Extortion Cell, Crime Branch, Mumbai, for the offence punishable under Section 387 read with 34 of the Indian Penal Code, arising out of FIR No.303 of 2020 registered with Worli Police Station, Mumbai, so also the challenge to the sanction order dated 22nd September 2021 granted under Section 23(1) of the Maharashtra Control of Organized Crime Act, 1999 (for short 'MCOCA').

3. The counsel for the petitioner has invited our attention to the judgment delivered by the Division Bench of this Court on 22nd June 2023 in Criminal Application No. 488 of 2020 (*Hemant Dhirajlal banker v/s. State of Maharashtra & Anr.*) and Criminal Writ Petition No. 1296 of 2023 (*Meenakshi Rupin Banker v/s. The State of Maharashtra & Ors.*). According to counsel for petitioner, both the applicant and the petitioner in the aforesaid proceedings are father and wife, respectively, of the present petitioner. According to counsel for petitioner, the very relief claimed in the present petition in relation to the very same offence is already allowed by this Court vide the aforesaid judgment dated 22nd June 2023. He would further urge that the nature of allegations against the petitioner are similar to that of the applicant and petitioner referred above and that being so, the case of the petitioner needs to be allowed being covered by the aforesaid judgment.

4. The counsel for the respondent-complainant, so also learned APP, in the aforesaid factual background, particularly, having regard to the judgment referred above dated 22nd June 2023 delivered in Criminal Application No. 488 of 2020 and Criminal Writ Petition No. 1296 of 2023, submit that an appropriate order be passed in the facts and circumstances of the case.

5. It can be inferred from the very observations in the aforesaid judgment dated 22nd June 2023 that the applicant and petitioner in the said judgment have sought quashing of the offence in question being Crime No.122 of 2020 and Crime No.303 of 2020. This Court has

already allowed the prayer for quashing vide the aforesaid judgment.

6. Nothing adverse could be noticed *qua* the petitioner so as to differentiate the role attributed to the petitioner as that of the other two applicants who are applicant and petitioner in the aforesaid judgment. As such, it has to be inferred that the case of the petitioner is also covered by the aforesaid judgment dated 22nd June 2023.

7. In the aforesaid background, for the reasons recorded in the judgment dated 22nd June 2023, we deem it appropriate to allow the present writ petition. We further direct that the FIR in Crime No.303 of 2020 registered with Worli Police Station, Mumbai, and FIR in Crime No.122 of 2020 registered by the Anti-Extortion Cell, Crime Branch, Mumbai are hereby quashed and set aside. The order dated 22nd September 2021 passed in exercise of Section 23(1)(a) of the MCOCA is also hereby quashed and set aside.

8. The petition accordingly stands allowed in the above terms.

9. Needless to clarify that as a sequel of allowing the present petition, Look Out Circular, if any, pending against the petitioner shall be withdrawn by taking appropriate steps in the matter, only to the extent of the present petitioner.

[R. N. LADDHA, J.]

[NITIN W. SAMBRE, J.]