

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

CRIMINAL WRIT PETITION NO. 322 OF 2021

M/s. Oak Shipping Services Pvt. Ltd. ... Petitioner

Versus

The State of Maharashtra ... Respondents

***WITH
CRIMINAL WRIT PETITION NO. 325 OF 2021***

M/s. HIM Logistics Pvt. Ltd. ... Petitioner

Versus

The State of Maharashtra ... Respondents

Mr. Devesh Diwakar Tripathi a/w Ms. Pankti Shah and Ms.
Dishita Karnavat for the Petitioners

Mr. V. B. Konde Deshmukh, Addl. P.P for the Respondent-State

API Mr. Sanjay Sadigle from EOW-1, Navi Mumbai, is present

**CORAM : REVATI MOHITE DERE &
MANJUSHA DESHPANDE, JJ.
WEDNESDAY, 3rd APRIL 2024**

P.C. :

1 We have heard learned counsel for the parties.

2 The petitioners in both the aforesaid petitions seek quashing of the seizure order dated 6th March 2020 issued under Section 102 of the Code of Criminal Procedure (`Cr.P.C`) by the police.

3 According to the learned counsel for the petitioners, the petitioners in both the aforesaid petitions, were service providers i.e. they provided services to M/s. P. K. International. As far as petitioner in Petition No. 325/2021 is concerned, the said petitioner is a Customs House agent and the petitioner in Petition No. 322/2021 is a Freight Forwarder. It appears that M/s. P. K. International, was later subjected to GST investigation on the allegation that they had availed of ineligible GST return. Since some of the amounts were received by the petitioners from M/s. P. K. International, the petitioners' accounts came to be freezed by the police.

4 On 29th September 2022, this Court granted rule in both the aforesaid petitions, as arguable questions were raised

and the hearing was expedited. Accordingly, the matters were taken up for final hearing today.

5 Learned Addl. P.P, on instructions, submits that the EOW, Crime Branch, Navi Mumbai, has decided to withdraw the said attachment order dated 6th March 2020, and that the said exercise would be done within one week from today. Statement accepted.

6 In view of the statement made by Mr. Konde Deshmukh, learned Addl. P.P, on the instructions of API Mr. Sanjay Sadigle, who is present in Court, nothing survives for further consideration in the petitions. Rule stands discharged in both the petitions and the petitions are disposed of accordingly.

7 All concerned to act on the authenticated copy of this order.

MANJUSHA DESHPANDE, J.

REVATI MOHITE DERE, J.