

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

CRIMINAL REVISION APPLICATION NO.255 OF 2024

Ambabai Majur Sahakari Sanstha Maryadit .. Applicant
through neha n. Sawant

Versus

The State of Maharashtra .. Respondents

WITH

CRIMINAL REVISION APPLICATION NO.220 OF 2024

Chandramukhi Majur Sahakari Sanstha .. Applicant
Maryadit Through Ravindra S. Vichare

Versus

The State of Maharashtra .. Respondents

WITH

CRIMINAL REVISION APPLICATION NO.217 OF 2024

Kulaswamini Majur Sahakari Sanstha .. Applicant
Maryadit Through Indersingh Roopsingh

Versus

The State of Maharashtra .. Respondents

WITH

CRIMINAL REVISION APPLICATION NO.219 OF 2024

Jitesh Majur Sahakari Sanstha Maryadit .. Applicant
Through Rajashree Rajendra Desai

Versus

The State of Maharashtra .. Respondents

WITH

CRIMINAL REVISION APPLICATION NO.218 OF 2024

Kalpataru Majur Sahakari Sanstha Maryadit .. Applicant
Through Prajakt Prakash Setavadekar

Versus

The State of Maharashtra .. Respondents

WITH

CRIMINAL REVISION APPLICATION NO.216 OF 2024

Raju Majur Sahakari Sanstha Maryadit .. Applicant
Through Yash Kumar M. Dalvi

Versus

The State of Maharashtra .. Respondents

WITH

CRIMINAL REVISION APPLICATION NO.256 OF 2024

Saahasi Maju Shakari Sanstha Maryadit .. Applicant

Versus

The State of Maharashtra .. Respondents

WITH

CRIMINAL REVISION APPLICATION NO.254 OF 2024

Goldy Majur Sahakari Sanstha Maryadit .. Applicant

Versus

The State of Maharashtra .. Respondents

WITH

CRIMINAL REVISION APPLICATION NO.257 OF 2024

Vithoba Rukmini Majur Sahakari Sanstha .. Applicant

Versus

The State of Maharashtra .. Respondents

*Mr. Akhilesh Chaubey a/w. Mr. Akshay Shetty for the Applicants.
Ms. D. S. Krishnaiyer, APP for the Respondent-State.*

**CORAM: MILIND N. JADHAV, J.
DATED : 10th DECEMBER, 2024.**

P. C. :

1. There is an important issue raised in present bunch of revision application.
2. Mr. Chaubey, learned counsel appears for the applicants in all Applications. Applicants before me are Cooperative Labour Societies registered under the Co-operative Societies Act, 1960. As far back as in 2022 by virtue of the impugned order their bank accounts have been

frozen. Their applications before the Trial Court for defreezing of the bank accounts have been rejected by virtue of the impugned order passed on 30/11/2023. It is a shocking thing which is observed on perusal of the impugned order that crime has been registered as far back as in 2015 for offences punishable under Sections 420, 409, 465, 467, 468, 471, 120-B and 214. The said crime was transferred to the Economic Offences Wing and re-registered as Crime No.21/2015. Chargesheet has been filed on 15/9/2021 by the Investigating Officer by collecting several documents and material which are appended to the chargesheet. "C" Summary report was also filed along with it. According to the prosecution total amount of Rs.123 crores is involved in the offence. All that is required to be established is *prima facie* involvement of the applicants before me in the alleged crime.

3. Perusal of the impugned order does not throw any light whatsoever on the above issue. The impugned order is in fact a cryptic order and is insufficient and does not give any cogent reasons at all. All that it says is that the Court has given utmost consideration to the submissions advanced by either side and accused persons have used their bank accounts for taking benefits which were given to the Society. This is a very serious charge. It needs to be *prima facie* established. For years together Bank Accounts of the Societies cannot be frozen on this count. The reason given for not considering the case

for defreezing of bank accounts is unusual. The impugned order states that if the accounts are kept frozen possibility of committing same type of act in the future will be ruled out. Such kind of finding cannot be countenanced by the Court unless prosecution shows some nexus of the use of applicant's bank accounts having received or utilized any monies in respect of the allegations contained in the complaint. The impugned order does not discuss anything whatsoever on this count.

4. I have impressed upon learned APP to take immediate instructions from the Investigating Officer. Oral directions were given on the last occasion to file reply. Till today, Reply has not been filed. Today she seeks some time. Learned APP informs the Court that affidavit in reply shall be filed within a period of one week from today. It is clarified that appropriate separate affidavits shall be filed in each of the matters rather than a conjoint and combined affidavit making general observations.

5. Stand over to 17/12/2024.

(MILIND N. JADHAV, J.)