

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 594 OF 2024

Gurinder Pal Singh .. Appellant

Versus

The State Of Maharashtra And Anr. .. Respondents

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Mr. V. V. Gautam a/w Adv. Owais Hingora i/b Zaid S. Ansari
And Associates, for the Appellant.

Ms. Rebecca Gonsalves, Special P.P. a/w Mr. D. J. Haldankar,
A.P.P. for the State/Respondent.

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CORAM : BHARATI DANGRE &
MANJUSHA DESHPANDE, JJ.
DATED : 19th JUNE, 2024

P.C:-

1. The present Appeal is filed by the Appellant, pursuant to the liberty conferred on him in Writ Petition (L) No. 6492 of 2024 and by a specific order dated 02.05.2024, raising a challenge to the attachment of his property *vide* Notification dated 17.03.2016, issued by the Respondent No.1, under Section 4(1), 5(1) and 8 of the Maharashtra Protection of Interest of Depositors (In Financial Establishment) Act, 1999, (the “MPID Act”).

We have perused the order dated 19.04.2023, it is evident that certain attachments in the Notification dated

17.03.2016 were made absolute and in respect of the others, upon the objection being staked, the attachment were raised. As far as the present Appellant is concerned he would specifically rely upon an Affidavit and a recent certificate which he has obtained from Sarpanch Grampanchayat, Nakoda Tehsil, District Sirsa.

2. On hearing counsel for the Appellant and learned counsel representing the Respondent No.1, we deem it appropriate that this objection shall be specifically raised before the Special Judge MPID, in Case No. 1 of 2014 and pursuant thereto, the Special Judge shall pass appropriate orders, as it is a specific case of the Appellant that he was unaware of such an attachment and as soon as he gained knowledge in the month of May, 2023, he initiated appropriate proceedings by filing a Writ Petition and this Court granted him liberty to file an Appeal under Section 11 of the MPID Act. If this objection was not before the MPID Court, in our view, this deserve consideration on factual aspect before the Special Judge.

3. Reserving the liberty for the Petitioner to file an appropriate application for recalling of the attachment, the present Appeal is disposed off.

Upon such an Application being made, let it be decided within a period of three months from today.

(MANJUSHA DESHPANDE,J.)

(BHARATI DANGRE, J.)