IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

58 CRIMINAL WRIT PETITION NO. 408 OF 2025

RAJENDRA JEEVANLAL BAMB
VERSUS
THE STATE OF MAHARASHTRA

Mr. N.L. Choudhari, Advocate for the petitioner.
Ms.Chaitali Choudhari Kutti, APP for the respondent-State.

CORAM : **KISHORE C. SANT, J.**
DATE : **11.08.2025**

PC :-

01. The petitioner has approached this Court praying for quashing and setting aside order dated 15.10.2024 passed by the learned Additional Sessions Judge-1 and Special Judge, Dhule, in Special Case No. 141 of 2022 on application Exh.99.

02. The petitioner had filed an application for defreezing his account and accounts of his family members, which are seized in Crime No. 117 of 2022 registered with Azad Nagar Police Station, Dhule for the offences punishable under sections 406, 420, 465, 467, 468, 384, 120(b) read with section 34 of the Indian Penal Code and section 34 of the Money Lending Act, Section 39 of the Maharashtra Money Laundering (Regulation) Act, Sections 21, 23, 25 and 26 of the Prohibition of

Unregulated Deposit Schemes Act, 2019. It is held that the present petitioner was found having indulged in the practice of money lending without any licence. Out of the said business, he has earned amount illegally. On that allegation the crime was registered and investigation started. The accounts of the petitioner and his family members came to be seized are as under :-

Name of Account Holder	Name of Bank	Account No.
Rajendra Jivanlal Bamb	Axis Bank, Dhule Branch	472010100060206
	HDFC Bank, Dhule.	06371000020908
	HDFC Bank, Dhule.	50200037646839
	Jalgaon Janta Co-op. Bank, Dhule.	01901118000021
	Shirpur People's Co-op. Bank.	002100363112
Sow.Sonal Rajendra Bamb	Axis Bank, Dhule Branch	916010030945758
	HDFC Bank, Dhule.	50100232226929
	Jalgaon Janta Co-op. Bank	01901019000543
Achal Rajendra Bamb	Axis Bank, Dhule Branch	921010039366237
	HDFC Bank.	50100406813863
	Shirpur People's Co-op. Bank.	002100452386
Pragati Rajendra Bamb	HDFC Bank, Dhule.	50100248258360
	Jalgaon Janta Sah. Bank, Dhule.	01901016000693

03. It is case of the petitioner that in-fact accounts are maintained properly by him. The amounts in the accounts is out of other

legal businesses of which he has given accounts. Same is shown in the income tax return as well. He, therefore, filed application Exh.99. The learned Special Judge, however, rejected the application. From the letter of the Assistant Commissioner, Income Tax Benami Prohibition, it is pointed out that what was directed to be seized was the cash amount lying in the locker of the petitioner and gold ornaments from said locker. Those are already seized and are presently with the Income Tax authorities. The learned Advocate for the petitioner submits that so far as present accounts are concerned, those are freezed. The accounts of family members are also freezed only on suspicion that the amount lying in those accounts are of the present petitioner. He submits that the petitioner and his family members are ready to give indemnity bond, if the accounts are allowed to be operated.

04. The learned APP vehemently opposes the petition. She submits that the accounts are seized in relation to the offence registered against the petitioner.

05. This Court finds that the accounts are of the petitioner and his family members. The allegation was about illegal transaction and about collection of cash amount and the gold ornaments. So far as cash

and gold ornaments are concerned, those are already seized and are with the Income Tax authorities. There is no dispute about the same. The accounts of the petitioner and his family members can be operated by protecting sufficient interest of the applicant. Hence, following order :-

i) The petition stands allowed in terms of prayer clauses (B) and (C). However, each of the account holder shall give an indemnity bond in the sum, which is standing in each of the account separately within two weeks from today.

ii) The Criminal Writ Petition is accordingly allowed and is disposed off.

[KISHORE C. SANT, J.]