



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

30 CRIMINAL WRIT PETITION NO. 744 OF 2024

VAISHALI SANJAY PATIL AND ANOTHER

VERSUS

THE STATE OF MAHARASHTRA

Mr. Sohail Subhedar h/f. Mr. N.S. Ghanekar, Advocate for the petitioners.
Ms.A.S. Deshmukh, APP for the respondent-State.

CORAM : KISHORE C. SANT, J.
DATE : 03.09.2025

PC :-

01. This Criminal Writ Petition is filed praying for release of amount of Rs. 26,04,500/- seized by Jawaharnagar Police Station, in Crime No. 0074 of 2022, for the offences punishable under section 7 of the Prevention of Corruption Act. The amount of Rs. 1,61,000/- is seized during investigation in connection with Crime No. 74 of 2022 by the police. It is case of the petitioner that he has not committed any crime. Merely on the basis of complaint and allegation, the amount is seized by police without any sufficient reason. Now, the petitioners have also filed an affidavit in this Court giving an undertaking that the amount can be secured by giving sufficient security. There is a residential flat bearing No. Duplex No. D-1 at Guru-Ganesh Apartment situated at Garkheda, Aurangabad. Along with affidavit, sale deed and valuation report is filed on record. The valuation report shows cost of duplex of Rs. 31,08,116.88 as of now. Learned Advocate for the petitioner, thus, submits that the petition deserves to be allowed as the amount is unnecessarily blocked.

02. Learned APP for the respondent opposes the petition. Reply is also filed. Learned APP submits that the amount involved is in a crime under the Prevention of Corruption Act. If the amount is released, it will cause prejudice to the case of the prosecution. Giving amount to the petitioner will be allowing the petitioner to use illegal benefits taken by corrupt practices, and therefore the petition deserves to be dismissed.

03. This Court finds that keeping the amount blocked, is in nobody's interest. Sufficient care can be taken of the interest of the prosecution by passing appropriate order. Hence, following order :-

ORDER

- (i) This Criminal Writ Petition stands allowed, with following directions.
- (ii) The seized amount be released on taking security from the petitioner.
- (iii) The petitioner to furnish security to the satisfaction of learned Registrar (Judicial) of this Court.
- (iv) The petitioner shall be entitled to receive the seized amount by Police, as indicated above.

[KISHORE C. SANT, J.]