

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

CRIMINAL WRIT PETITION NO.6721 OF 2024

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Ketan Kantilal Seth

Age : 62 Years, Indian Inhabitant,
Residing at : B 702, Subnam Building,
New India Insurance Colony, Juhu Lane,
Andheri (West), Mumbai : 400 058.

...Petitioner

Versus

The State of Maharashtra

Through Economic Offences Wing,
Mumbai.

...Respondent

Mr.Siddharth Jagushte:-	Advocate for Petitioner.
Mr.H.J.Dedhia:-	APP for Respondent – State.
Mr.Rupesh Darekar : API:-	Banking-1, Unit 9-Economic Offences Wing, Mumbai.

CORAM : S. M. MODAK, J.

DATE : 18th JULY 2025

1. For the reasons recorded separately which are under typing,
following order is passed:-

ORDER

- (i) The Petition is allowed.
- (ii) The **order dated 16th October 2024** passed by the Additional Chief Judicial Magistrate, 47th Court, Esplanade, Mumbai **is**

set aside.

- (iii) The Investigating Officer – PW No.9 – Prabhakar Loke **is recalled** for the purpose of cross-examination by the Accused No.1 only on two grounds:-
 - (a) **Cross-examine in respect of the letter below Exhibit-142 and**
 - (b) **to cross-examine Mr.Loke in respect of the Bank statement produced by the Bank official PW No.10.**
 - (iv) The Petitioner should pay cost of **Rs.25,000/-** (Rupees Twenty Five Thousand) to the District Legal Services Authority, Mazgaon Office, Mumbai within a period of 2 weeks and to produce a receipt before the trial Magistrate **and then only cross-examination will be allowed.**
2. In view of the above, **the Petition stands disposed of.**

[S. M. MODAK, J.]