

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

**INTERIM APPLICATION NO. 5176 OF 2024
IN
CRIMINAL APPEAL NO. 824 OF 2017**

Pramod Vasand Shastri
Vs.

...Applicant

The Central Bureau Of
Investigation, Anti Corruption
Bureau and Ors.

...Respondents

Mr. Satyavrat Joshi a/w Ms. Reena Prajapati	Advocate for the Applicant
Ms. R. S. Tendulkar	APP for the Respondent-State
SPP Amit Munde a/w Adv. Jai Vohra	For Respondent-CBI, ACB (Pune)

CORAM : S. M. MODAK, J.

DATE : 23rd JUNE 2025

P. C. :-

1. Heard learned Advocate Shri Joshi for the Applicant and learned Advocate Shri Munde for the CBI.
2. CBI, while doing the investigation, has searched the locker no. E-287 of the Central Bank of India, Shivaji Nagar Branch, Pune. The

locker stands in the name of the present Applicant and his wife. CBI has taken inventory of that locker, and they have conducted the search and prepared a search panchnama on 24.04.2004. A separate inventory was also prepared. The details of the articles found in the said locker are given in that inventory.

3. Alongwith other accused persons, the present Applicant faced the prosecution for the offence punishable under Section 13(1)(d) read with 13(2) of the Prevention of Corruption Act and under Section 120-B of the Indian Penal Code. He was convicted by the learned Special Judge, CBI-ACB, Pune, as per the judgment dated 16.09.2017. The appeal is pending.

4. Even though the locker is seized, in the charge-sheet that was filed, CBI has not shown those articles as seized during investigation. Now the Applicant wants return of those articles. The Applicant contends that those articles belong to his wife and as they are her stridhan. She has not come forward for return of those articles.

5. I have read the reply filed by CBI by way of affidavit. The investigation officer has reproduced the factual aspect and requested for passing of an appropriate order. During arguments learned

Advocate Shri Munde submitted that this application ought to have been filed before the trial Court and even it is filed belatedly.

6. I am inclined to allow the application. Merely because it is not filed before the trial court, the Applicant should not be debarred from filing the application before this Court, because the appeal is pending. Furthermore, these articles were not seized during the investigation. They have simply carried out the search panchnama and inventory, but they have not seized those articles for more than 21 years, so application needs to be allowed. At the same time, as Pooja is a co-holder of that locker, she needs to give NOC for the return of those articles to her husband. So, directions can be given. As these articles were not seized, according to me, there is no necessity of asking the Applicant to execute Supratnama.

7. Hence, the following order:-

ORDER

- (i) The Interim Application is allowed.
- (ii) The CBI is directed to send a letter to the Central Bank of India, Shivaji Nagar Pune branch to de-freeze their locker bearing Locker No. E-287.

- (iii) Then Central Bank of India, Shivaji Nagar Pune branch is directed to permit the Applicant-Pramod Shastri to take the articles which are lying in that locker.
 - (iv) This exercise can be done in the presence of the CBI officer and at that time, inventory be prepared.
 - (v) Prior to doing this exercise, the Applicant is directed to give NOC of his wife and be produced before the CBI and also to the bank.
8. With these observations, Interim Application is disposed of.

[S. M. MODAK, J.]