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

**CRIMINAL REVISION APPLICATION NO.101 OF 2025
WITH
CRIMINAL REVISION APPLICATION NO. 111 OF 2025**

Nitin Sontakke	... Applicant
V/s.	
Central Bureau of Investigation	... Respondent

Mr. Bimal Bhabhda, for the applicant.

Mr. Amit Munde, SPP a/w Mr. Jay Vohra, for respondents (CBI, ACB, Pune)

Mrs. Anagha Deshmukh, APP for State in REVN No. 101 of 2025.

Mrs. Shilpa Gajare, APP for State in REVN No.111 of 2025.

CORAM : AMIT BORKAR, J.

DATED : OCTOBER 14, 2025

P.C.:

1. The applicant is accused No. 7 in connection with the FIR dated 27 June 2014, which has been registered as Special Case No. 75 of 2015. The case concerns offences punishable under Sections 120B read with 420, 406, and 471 of the Indian Penal Code, 1860, and Sections 13(2) and 13(1)(d) of the Prevention of Corruption Act, 1988.

2. During the pendency of the said case, the applicant filed an application before the Special Court seeking a stay of proceedings. The applicant relied upon a notification issued under sub-section

(1) of Section 3 and sub-clause (iv) of clause (a) of sub-section (1) of Section 4 of the Maharashtra Relief Undertakings (Special Provisions) Act, 1958. It was contended that the industrial undertaking, M/s Blu Bird (India), has been declared a Relief Undertaking under the said notification. Therefore, any rights, privileges, obligations, or liabilities accrued or incurred before 25 November 2024, and any remedy for their enforcement, stand suspended. Consequently, all proceedings in respect thereof pending before any Court, Tribunal, or Authority are to remain stayed.

3. Based on the above notification, the applicant contends that the present trial for offences under the Indian Penal Code and the Prevention of Corruption Act is required to be stayed.

4. Having considered the submissions and the material placed on record, this Court finds no merit in the contention advanced by the applicant.

5. Firstly, the notification issued under the Maharashtra Relief Undertakings (Special Provisions) Act, 1958, is intended to grant temporary protection to industrial undertakings declared as relief undertakings for the purpose of ensuring their financial and operational rehabilitation. The object of the Act is to suspend civil liabilities arising out of contractual or commercial transactions. It does not extend to criminal prosecution for offences under the Indian Penal Code or the Prevention of Corruption Act.

6. Secondly, criminal liability arises out of an individual's act constituting an offence against the State. Such proceedings are in

the nature of public law enforcement and cannot be stayed on the ground that the accused is connected with an undertaking which has been declared as a relief undertaking under the said Act. The notification relied upon does not create any legal immunity for persons accused of criminal misconduct or cheating.

7. Thirdly, the offences alleged in the present case under Sections 120B, 420, 406, and 471 of the Indian Penal Code and under Sections 13(2) and 13(1)(d) of the Prevention of Corruption Act, 1988, are serious in nature and concern acts of deception, misappropriation, and criminal conspiracy. These offences cannot be equated with civil or commercial liabilities capable of being suspended under the provisions of the Relief Undertakings Act.

8. Fourthly, it is well settled that criminal prosecution cannot be stayed by invoking economic or administrative protection measures. The declaration of a relief undertaking does not absolve or shield individuals from criminal responsibility.

9. Therefore, the application seeking stay of the trial is devoid of substance. The Special Court was justified in rejecting the same. The relief claimed by the applicant, if granted, would defeat the very object of criminal law and obstruct the process of justice. Accordingly, the revision application is rejected.

(AMIT BORKAR, J.)