



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL WRIT PETITION NO.581/2025

(Mr. Mahesh S/o. Chandrabhan Gwalani Vs. The Deputy Superintendent of Police State Cyber Crime Cell, CID
 Crime, Gujarat & anr.)

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Mr. P.A. Abhyankar, Advocate for petitioner.

CORAM: ANIL L. PANSARE AND
M. M. NERLIKAR, JJ.

DATED : 19/08/2025.

Heard.

2. Learned counsel for petitioner submits that the respondents have been served through private mode of service and affidavit to that effect has been filed. The Registry shall verify and record satisfaction regarding service to respondent Nos. 1 and 2.

3. The counsel for petitioner submits that petitioner is a businessman. His account has been debit freezed at the instance of respondent No.1. According to respondent No.1, amount of Rs.15,00,000/- has been credited in the account of petitioner from the victim's account. The credit entry is an out come of alleged fraud committed by some unknown persons. The order of freezing has been passed under Sections 91 and 102 of the Code of Criminal Procedure, 1973.

4. The argument is that the petitioner has played no role in the so-called fraud committed by unknown persons. The petitioner is completely unaware of the transactions. Accordingly, the counsel for petitioner makes a request for interim relief to permit the petitioner to operate the account over

and above alleged amount of Rs. 15,00,000/-.

5. Since, the amount of alleged fraud is secured by the statement made by the petitioner's counsel, which we accept as an undertaking given to this Court, interim relief is granted in terms of prayer clause (2) reads as under:-

“(2) By an interim order direct the respondent No.2 to permit the petitioner to withdraw any amount which is over and above the amount of Rs.15,00,000/- which is presently lying or may get credited in future in the Account No. 332100100000609 of the petitioner during the pendency of this petition.”

6. All concerned to act on authenticated copy / uploaded copy of this order.

7. List the petition in week commencing from 08.09.2025.

(M. M. NERLIKAR, J.)

(ANIL L. PANSARE, J.)