



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

CRIMINAL WRIT PETITION NO.793/2025

Mr. Bhawani Prasad Mishra .Vs. State of Maharashtra through PSO PS Warora,
Chandarpur and Others.

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

Court's or Judge's orders

Mr. Y. A. Khullarwar, Advocate for petitioner.
Mr. G. S. Umale, A.P.P. for respondent Nos. 1 and 2.

CORAM : **ANIL L. PANSARE AND**
SIDDHESHWAR S. THOMBRE, JJ.

DATE : **SEPTEMBER 29, 2025**

Heard.

2. The petitioner's accounts have been freezed. Argument is that since the FIR is lodged under the provisions of Section 173 of the Bhartiya Nagrik Suraksha Sanhita, 2023 ("BNSS"), respondent No.2 has no jurisdiction to debit freeze the accounts of petitioner without seeking permission of the jurisdictional Magistrate under Section 107 of the BNSS.

3. Counsel for petitioner submits that this Court had, in Writ Petition No.705/2025, taken cognizance of similar such an act done by respondent No.2 herein. Since the same officer i.e. Mr. Sachin Yadav attached to Economic Offences Branch, Chandrapur, who had debit freezed the accounts, is the one who has now taken such illegal action knowing fully well that without permission of the jurisdictional Magistrate the petitioner's account could not have been debit freezed, the petitioner shall add Mr. Sachin Yadav, as party respondent No.4.

4. Issue notice to the respondents, returnable on 06.10.2025.

5. Issue notice on interim relief as well.
6. Learned A.P.P. waives service of notice for respondent Nos.1 and 2. He shall also take instructions from Mr. Sachin Yadav as well.

(Siddheshwar S. Thombre,J.)

(Anil L. Pansare, J.)

Kahale