

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.1292 OF 2024
WITH
INTERIM APPLICATION NO.5097 OF 2024**

Nuvama Clearing Services Ltd.Appellant/Applicant
Vs.
The State of MaharashtraRespondent

**WITH
INTERIM APPLICATION NO.5203 OF 2024
IN
CRIMINAL APPEAL NO.1292 OF 2024**

Ashutosh ShahApplicant
Vs.
The State Of MaharashtraRespondent

**WITH
INTERIM APPLICATION NO.5200 OF 2024
IN
CRIMINAL APPEAL NO.1292 OF 2024**

Paresh KariyaApplicant
Vs.
The State Of MaharashtraRespondent

Mr. Amit Desai, Senior Advocate with Mr. Sameer Pandit, Ms. Krina Gandhi,
Mr. Chintan Pasad i/b Wadia Ghandy & Co. for the Appellant/Applicant in
Appeal/1292/2024 and in IA/5097/2024.

Smt. P. P. Shinde, APP for the Respondent-State.

Mr. Arjun Padwale, API, EOW, Mumbai present.

**CORAM : A. S. GADKARI AND
SHYAM C. CHANDAK, JJ.
DATE : 26th FEBRUARY, 2026.**

P.C.:-

1) Learned APP Smt. Shinde on instructions, from Mr. Arjun Padwale, Assistant Police Inspector Unit-6, EOW, Mumbai submitted that, in furtherance of statement made on 28th January, 2026 and as recorded in para No.1 of the Order of the same date, the concerned Officer of EOW has given intimation of de-freezing of the Petitioner's account and lifting the lien from it on 4th February, 2026. She tendered across the bar a communication duly signed by Mr. Arjun Padwale, A.P.I. Unit-6, EOW, addressed to her. The said communication is taken on record.

2) Learned senior Advocate Mr.Desai submitted that, in view of the fact that no role of the Appellant is revealed in the present crime, the Orders dated 28th November, 2024 passed in Miscellaneous Application No.1586 of 2022 and 7th December 2022 passed below Exh.11 in MPID No.486 of 2021 needs to be set aside.

2.1) Learned APP, on instructions, fairly concedes to the said fact.

3) In view thereof the Orders dated 28th November, 2024 passed in Miscellaneous Application No.1586 of 2022 and 7th December 2022 passed below Exh.11 in MPID Case No.486 of 2021 are set aside. As a consequence thereof, the Petitioner is relieved from the undertaking given

to the trial court in furtherance of the Order dated 7th December 2022.

4) Appeal is allowed in the aforesaid terms.

Consequently, Interim Application Nos.5097 of 2024, 5200 of 2024 and 5203 of 2024 do not survive and are accordingly disposed off.

(SHYAM C. CHANDAK, J.)

(A.S. GADKARI, J.)