

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO.230 OF 2026**

Prashant S/o Jayantilal Thandeshwar

...Petitioner

Versus

The State of Maharashtra & Anr

...Respondents

.....

Mr. Anand Mishra, with Mr. Siddharth Singh, i/b Mr. A. M. Saraogi, Advocates for the Petitioner.

Mr. K. V. Saste, Assistant Public Prosecutor, for the Respondent No. 1-State.

.....

**CORAM: SHREE CHANDRASHEKHAR, CJ &
SUMAN SHYAM, J.**

DATE: 23rd JANUARY 2026

PC:-

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Mr. Anand Mishra, the learned counsel for the petitioner submits that the bank has no authority to freeze the bank account of the petitioner even after A-Summary Report has been filed in a First Information Report by the respondent no. 1.

2. This is settled law that a Magistrate has powers to (i) accept the A-Summary Report; (ii) reject the A-Summary Report; or (iii) to order further investigation under section 173(8) of the Code of Criminal Procedure, 1973 corresponding to section 193 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (refer, “*Abhinandan Jha & Ors. v. Dinesh Mishra*” 1967 SCC OnLine SC 107). At this

stage when the Magistrate has not applied his mind in taking a decision in the matter, no order can be passed in the present proceedings.

3. Criminal Writ Petition No. 230 of 2026 is dismissed.

(SUMAN SHYAM, J)

(CHIEF JUSTICE)