



IN THE COURT OF SPECIAL JUDGE, GONDIA.

SPL. CASE No.43/2023.

(CNR NO.MHGO010004692023)

State – vs – Prakash Sharma

ORDER BELOW EXH.15.

(Passed on this 1st day of July, 2025)

1. Perused application, say of I.O at Exh.35 and say of Ld. DGP on overleaf of present application. Heard Shri Tolani Ld. Advocate for applicant/accused and Ld. DGP on behalf of State.
2. Applicant/accused has made request for releasing freezed current account No.921020048038809 with Axis Bank Kalwar Road, Jaipur having IFSC Code No. UTIB0004314 in the name of M/s Khandal's Tea & Allied. Applicant claimed that he is proprietor of M/s Khandal's Tea & Allied. He submits that he is in need of money for personal as well as business purpose and requested to defreeze said account.
3. From say of Police Inspector of police station Gondia City at Exh.35 it is clear that request was made to freeze the debit transaction of applicant in said account

bearing No.921020048038809 as applicant was not found in relation to offence registered against him vide Crime No.381/2022 with police station Gondia City and charge-sheet has also been filed against him for said offence before this Court. He submits that it was found that applicant was making online transactions in said account. But he was not physically found so I.O issued letter on 20-12-2022 to Branch Manager of Axis Bank for freezing the said account for the purpose of debit transaction. Accordingly, Police Inspector has filed say.

4. Ld DGP filed say on overleaf of application and submits that applicant has absconded and was transacting through said account while he absconded. So his account was freezed. Ld. DGP also submits that I.O has not claimed to continue freezing of said account and requested to pass suitable order.

5. Applicant has filed copy of letter dated 14-06-2025 issued by authorised signatory of Axis Bank to show that there is current account in the name of M/s Khandal's Tea & Allied with Axis Bank Kalwar Raod, Jaipur beaing current account No.921020048038809 and it is proprietary firm and Mr. Prakash Sharma is Proprietor in said account. Considering that applicant is Proprietor shown in the account in the name

of M/s Khandal's Tea & Allied having current account No. 921020048038809 so he is competent to make present application seeking defreezing of aforesaid account. Considering the fact that said request of freezing of said account has been made by I.O as applicant was not traced and absconding. Now in the present matter the applicant has been arrested on 26-03-2023 and he was released on bail in pursuance of order dated 09-05-2023 passed below Exh.10. Moreso there is no allegation of use of said account in the present crime. In such circumstances it is not desirable to continue to keep freezed aforesaid account. Hence, this order:

ORDER

- 1] Application [Exh.15] is allowed.
- 2] Bank authority of Axis Bank Kalwar Road, Jaipur is hereby directed to de-freeze current account bearing No.921020048038809 in the name of Khandal's Tea & Allied upon receipt of this order.
- 3] Accordingly, application stands disposed of.

Gondia.
Dated: 01-07-2025.

(M. T. Asim)
Special Judge, **Gondia**.