

from his father, brother and relatives for running a business, that the amount of Rs.7,00,000/- was received by two cheques on 22/1/2016 and amount of Rs.4,00,000/- was received by cash on 7/2/2016. It is mentioned that the amount was lying in the accounts because the transaction with the shop owner cannot be concluded. The learned advocate has filed on record bank statements and affidavit of the brother of the accused.

4] Learned Spl. P.P. Mr. Fargade has raised objection contending that it is difficult to believe that the the handloan amount given to the accused in January 2016 was not utilized by him for the period of one and half years and still he did not repay it. According to him, there is no document to support the stand taken by the accused, there is strong prima facie case of running of brothel and earning income by employing the girls on prostitution. The role of applicant is clear and therefore the application cannot be allowed.

5] I have gone through the charge-sheet. As per material placed on record the applicant was a member of organized crime syndicate which was dealing in illicit business of immoral trafficking and employing the girls for prostitution, bringing them from remote places, even from different countries. The brothels were running in different areas of Pune city. It was as good as a sex scandal. Different places were raided by police and many accused were arrested, including the applicant. When it is so and when there is nothing to show that the cash amount in the accounts of the applicant/accused were having some legitimate source, the account cannot be ordered to be defreezed.

6] It cannot be believed that the applicants are taking hand-loans from different relatives without any purpose for more than half years. There is no document to show that he had entered into any agreement with owner of any shop, at any point of time. There is no document to show source of income of his brother or father from whom he had received Rs.7,00,000/- by cheque. When the applicant is not able to satisfy the Court, prima facie, about the legitimate source of income and receipt of money, at this stage, defreezing of account cannot be ordered. It is, therefore, I pass following order.

ORDER

Application is hereby rejected.

Pune.
Date : 02/01/2023

Sd/-
(Satyanarayan R. Navander)
Judge, Special Court
MCOC Act, Pune.

CERTIFICATE

I affirm that the contents of the PDF file Judgment are same word for word as per original Judgment.

Name of Steno	Rajesh A. Shimpi Stenographer Grade I
Name of Court	Shri. S.R. Navandar, Addl. Sessions Judge, Pune.
Date of Order	02.01.2023
Order signed by PO on	02.01.2023
Order uploaded on	04.01.2023