



Malls situated at Phaltan, Wai, Pune, Indapur etc. and they would give him orders of chocolates on condition of investment of money in their Company. All assured that if the informant invests in their Company, they would give him handsome returns as well as commission, if he collects other investors. By keeping trust and relying on their assurance, the informant invested Rs.12,00,000/- on his own name as well as on the name of his wife Bhakti. As he was in need of money, he demanded the amount invested. Accused Nanasaheb switched off the phone. Other co-accused gave evasive answers. In May 2023, meeting was called in Hotel 'Sai-Samrat'. At that time, accused Sachin, Shital and Jivan were present. Near about 200 to 300 investors were present. The accused assured to pay the amount after a period of four months. However, they did not pay the amount. Hence, he filed the F.I.R.

03. In the backdrop of these facts, Mr.R.V. Gadekar, the Ld. Counsel for applicant submitted that, applicant had invested amount of Rs.4,00,000/- in 'Vishwakarma Super-mart Services Pvt. Ltd.' Applicant received return amount of Rs.6,32,700/-. Applicant is having Account No.130010110001629 in the Bank of India, branch Guruwar Peth, Satara. Investigating Officer freezed said bank account. Applicant is having one more Bank account opened under "Senior citizen Saving Scheme 2004". It is bearing A/c. No.13000SCSS000142. Applicant invested the amount of Rs.15,00,000/- in the said bank account. He is getting interest amount of Rs.30,000/- per quarter. The freezed account is connected with this account. Therefore, the applicant is not getting the amount of interest. The amount invested in "Senior citizen Saving Scheme 2004" has no concern with the freezed account.

Hence, bank be directed to link account No. 130010110009845 to his account opened as per Senior citizen Saving Scheme 2004. Applicant made written request to the bank. However, bank denied to act on it on account of pendency of the criminal case. Hence, he prayed to allow the application.

04. Bank of India filed say at Exh.119 and prayed to pass necessary orders.

05. Mr.N.D. Muke, the Ld. A.P.P. for the State submitted that applicant filed application (Exh.60) and prayed to defreez the account No.130010110001629. Said application is dismissed. Applicant also admitted that, he received the amount from 'Vishwakarma Super-mart Services Pvt. Ltd.' Hence, he prayed to reject the application.

06. Applicant prayed to defreez the account as per application (Exh.60). Said application is dismissed on merit. However, in the present case, applicant has not prayed to defreez the account. Applicant is coming with the case that, he has invested amount of Rs.15,00,000/- in the account opened as per Senior citizen Saving Scheme 2004. He is getting interest of Rs.30,000/- per quarter. It is not case of the prosecution that applicant invested the crime proceeds in the account opened under "Senior citizen Saving Scheme 2004". Therefore, the applicant has right to use the amount of interest accrued upon from said account. Applicant is having one more A/c.No.130010110009845. Therefore, the amount of interest accrued in A/c. No. 13000SCSS000142 needs to be transferred to A/c. No. 130010110009845 instead of A/c.No. 130010110001629. Further,

applicant has also showed readiness to deposit amount of Rs.2,54,750/- in the freezed account. Already the interest amount has been deposited in said account. Considering these facts, this Court thinks it proper to allow the application. In the result, I pass the following order.

### **ORDER**

1. Application is allowed.
2. Applicant is entitled for the amount of interest accrued in A/c. No. 13000SCSS000142. Therefore, said account be linked with A/c.No.130010110009845. The amount of interest accrued A/c. No. 13000SCSS000142 be not transferred in the A/c.No. 130010110001629. The Bank of India, branch Guruwar Peth, Satara directed to act accordingly.
3. Applicant to deposit the amount in the freezed account as stated in Para-13 of the application.

**Place : Satara**  
**Date- 24.06.2025.**

**(S.R.Tamboli)**  
**Special Judge, Satara**