

02.05.2025	<u>CORAM: H. H. THE SPL. JUDGE SHRI. S. H. GWALANI (CR. NO.48)</u>
MISC APLN. CBI 384/25	Proposed respondent Nos.2 to 4 and 6 to 9 are present. Proposed respondent Nos.5 and 10 are absent. Advocate Indreshkumar Tiwari a/w Adv. Salloni Jaiswal for applicant is present. P.P. Nilam Agrawal h/f. SPP Sandeep Singh for CBI is present. P.O. Shri. Mahendra Idekar for CBI is present. Advocate Shubham Waphare for proposed respondent Nos.2,6,7 and 8 present. Advocate Anurag Mishra for proposed respondent No.4 is present. Advocate Jainam Jain for proposed respondent No.3 is present. <u>ORDER PASSED ON EXH.01& EXH.04:</u> Applicant is filed application u/s.503 of the Bharatiya Nagrik Suraksha Sanhita, 2023 for return of property (Monetary amount of Rs.30 lakhs and 10 lakhs). 2. Ld. SPP for CBI appeared and filed their reply vide Exh.02 and strongly opposed the application on various grounds. 3. During course of the arguments this court asked from the applicant as to why he has not made the party from whom the alleged amount has been seized by the CBI. Thereafter it appears that on the basis of the oral direction of this court applicant has filed application for adding the accused as a necessary parties. All non applicant/proposed respondents appeared and filed their reply on the over-lief of the application and strongly opposed the application. After going through the application and reply this court find various lacunas and there is no specific pleadings against the non applicant/proposed respondents therefore, immediately applicant made statement that he wants to clarify from whom the CBI has seized the said amount as well as the said amount is not the trap amount and he submitted that he may be permitted to file fresh application by not pressing the same. In view of submissions, I proceed to pass following order: <u>ORDER</u> 1. Applications Exh.01 and Exh.04 are disposed of with liberty to file fresh appropriate application for return of amount on suprutnama in accordance with law. 2. Applications Exh.01 and Exh.04 are disposed of. SPL. JUDGE