



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.3291 of 2025

M/s. Maxmed *Petitioner(s)*
Pharmaceuticals, New
Delhi

Mr. Soumya Mishra,
V.L. Varma,
G.N. Parida, R. Santuka, Adv.

-versus-

State of Odisha *Opposite Party(s)*
Mr. Amitav Pradhan, ASC

CORAM:

HON'BLE DR.JUSTICE SANJEEB K PANIGRAHI

Order
No.

ORDER
27.02.2026

03. 1. This matter is taken up through hybrid arrangement.
2. In filing this CRLMC, the Petitioner-Company being engaged in the business of trading of medicines, has challenged the conditions imposed vide order dated 28th March, 2025 passed by the learned Court in *seisin* over the matter in Criminal Misc. Case No.197 of 2024 arising out of C.T. (Spl.) Case No.78 of 2023 pending before the Court of learned Sessions Judge-cum-Special Judge, Bargarh in connection with Town P.S. Case No.528 of 2023.
3. Heard.
4. Learned counsel for the Petitioner submits that based on the allegation of some unlawful activities a criminal proceeding vide Bargarh Town P.S. Case No.528 dated



22.08.2023 has been initiated against the Petitioner-Company. He further contends that after initiation of the said criminal proceeding and based on some credible information since the Bank account of the Petitioner-Company was frozen, he had filed a petition under Section 457 of the Cr.P.C before the Court of learned Sessions Judge, Bargarh for defreezing his Bank accounts in question.

5. Thereafter, upon hearing both the parties concerned, the learned Sessions Judge, Bargarh passed the impugned order of defreezing of the Bank account of the Petitioner-Company in question with the following conditions:-

“i) The petitioner shall not close HDFC Bank A/c.No.50200077468091 and Kotak Mahindra Bank A/c.No.9992759999 or make any illegal transaction therein till final disposal of the case; and

ii) The petitioner shall maintain the closing balance of the accounts as it is, which was available on the date of freezing of the accounts, even if it is operated.”

5. Being aggrieved by the above noted conditions imposed in the impugned order dated 28th March, 2025 passed in Criminal Misc. Case No.197 of 2024, learned counsel for the Petitioner submits that since the trial in the above noted criminal case instituted against the Petitioner-Company is running in a senile pace, the Petitioner is suffering immensely while making necessary financial transaction through the Bank accounts in question. He,



accordingly, prays for modification of the conditions imposed in the impugned order dated 28th March, 2025 passed by the learned Court in *seisin* over the matter. He also relies on a decision of this Court in the case of ***Suresh Chandra Mohapatra Vrs. The Branch Manger, S.B.I, Dhenkanal & Anr.***¹. Relevant portion of the said judgment is extracted herein below:-

“Freezing of bank accounts by investigating authorities in a mechanical fashion is an increasing problem faced by Indian businesses and companies. Such actions are routinely predicated on mere allegations or suspicions of tainted amounts being credited by accused persons or suspects involved in dubious financial dealings into the business or personal accounts of a Bonafide party. One does not need to be an accused in the offence or even named in the First Information Report for the accounts to be frozen during investigation. This may have a crippling effect on the operational aspects of a business and can cause grave financial hardships and a party bearing the brunt of such actions, often get into deep waters.”

6. At this juncture, learned counsel for the Opposite Party submits that since the Petitioner-Company was involved in some unlawful activities for which its Bank accounts in question has been frozen, any modification of the conditions imposed by the learned court in *seisin* over the matter may hamper the process of trial. He, accordingly, prays for dismissal of this CRLMC.

7. Considering the submissions made on behalf of both the parties and looking to the judgment relied on by the

¹ In W.P.(C) No.19475 of 2023
Date of Judgment 08.11.2024



learned counsel for the Petitioner, this Court is of the view that a bank account, which serves as a fundamental resource for a person's daily financial needs and overall well-being, should not be frozen for an unreasonable period. Prolonged restrictions on access to funds can severely disrupt an individual's ability to meet routine expenses, such as housing, healthcare and other basic needs, thereby affecting their livelihood and financial stability. This Court, therefore, while waiving the condition Nos.i & ii from the impugned order dated 28th March, 2025 passed in the Criminal Misc. Case No.197 of 2024, directs the concerned authorities of the HDFC Bank and the Kotak Mahindra Bank to keep the amount involved in the alleged unlawful activities in lien and permit the Petitioner-Company to make necessary financial transactions through the Bank accounts in question without any hesitation. The impugned order dated 28th March, 2025 passed in the above noted Criminal Misc. Case is modified to the above extent.

8. This CRLMC is, accordingly, disposed of.

(Dr. Sanjeeb K Panigrahi)
Judge