

**IN THE COURT OF SPECIAL JUDGE FOR CBI AT GR. MUMBAI
ORDER BELOW EXH-7**

**IN
SPECIAL CASE NO.125 OF 2009**

Jayanand Narayan Shetty .. Applicant/Orig.Accd.No.1

Versus

1. State
2. CBI, ACB, Mumbai .. Respondents

ALONGWITH

ORDER BELOW EXH-8
**IN
SPECIAL CASE NO.125 OF 2009**

Abdul Raseed Shaikh .. Applicant

Versus

1. State
2. CBI, ACB, Mumbai .. Respondents

CORAM : H.H.THE SPECIAL JUDGE

SHRI VIJAY R. SIKCHI (C.R.NO.53)

DATED : 21/12/2010

Adv.Mr.P.C. Das for Applicant Mr.Jayanand Shetty
Adv.Mr.Saikumar P.M. for applicant Abdul Rashid Shaikh
Special Senior Counsel Mr.K.N. Makasare for CBI-ACB

COMMON ORAL ORDER :-

The present applications came to be filed on 11/02/2010 claiming return of some documents and for defreezing of the accounts of the banks of which details are given in the applications. As a stop gap arrangement an interim order was passed on 15/04/2010 whereby both the applicants were permitted to operate their salary account by keeping balance in tact in it.

Today, it was submitted on behalf of accused No.2 Mr.Abdul Rashid that his wife is ill and an amount of Rs.1,25,000/- was withdrawn from G.P.F. and he has placed before me a copy of G.P.F. slip. In spite of giving several reminders to the Prosecution, they failed to file reply. The case which is registered against applicants is under Section 7 r/w.13 of the Prevention of Corruption Act. So, there will be no propriety in withholding the amount which is lying into the account of the applicants. So, some relief in that regard deserves to be given to the applicants. Hence, I pass following order :-

O R D E R

All the accounts which were freezed by the Investigating Agency of which details are given in the applications stands defreezed on the condition that applicants shall undertake to re-deposit the amount standing in the account if any case is made out against them under Section 13(e) of the Prevention of Corruption Act.

The Investigating Officer and Prosecution is directed to file the reply on or before next date in respect of claim of the documents which has been made by the applicants. Otherwise that prayer will also be decided without reply of the Prosecution.

Date : 21/12/2010

(VIJAY R. SIKCHI)
Special Judge,
Gr.Mumbai

Dictated on : 21/12/2010

Transcribe on : 21/12/2010

Signed by HHJ on : 21/12/2010