

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 3763 OF 2021**

Vinod S/o. Fateh Lal

... Petitioner

**V/s.**

The State Of Maharashtra And Anr

... Respondents

Mr. Brijesh Pathak for Petitioner.

Mrs. M. H. Mhatre APP for Respondent No.1-State.

Mr. Mayur Bhojwani and Mr. Reehan Ajmerwala i/b M/s. Manilal Kher Ambalal And Co. for Respondent No.3.

**CORAM : A.S. GADKARI AND  
PRAKASH D. NAIK, JJ.****DATE : 2<sup>nd</sup> MARCH, 2023.****PC. :**

1. By the present Petition, Petitioner has prayed that, by exercising inherent powers under Section 482 of the Code of Criminal Procedure this Court may be pleased to quash and set aside impugned action on the part of Respondent No.2 i.e. Inspector of Police, Banashankari Police Station, Bengaluru in not allowing the operation of the bank account of Petitioner mentioned in the prayer clause and to allow its operation.

2. Heard Mr. Pathak, learned Advocate for Petitioner, Mrs. Mhatre, learned APP for State and Mr. Bhojwani, learned counsel for Respondent No.3.

3. Record indicates that, by a letter dated 22<sup>nd</sup> May, 2021 issued by the Inspector of Police, Banashankari Police Station, Bengaluru i.e.

Respondent No.2 herein, had directed the Respondent No.3-Bank to furnish certified copies of bank statement and all KYC documents of the Account No.7713258315 and other bank accounts with it. It is stated in the said communication that, in the crime registered and more particularly mentioned in the said communication, fraudulent transactions were made with the account held by Respondent No.3-Bank and the case has accordingly been registered which is under investigation. The Respondent No.3-Bank by its email dated 31<sup>st</sup> May, 2021 informed the Respondent No.2 that, it has Debit freeze marked in the said account No. 7713258315.

4. Record indicates that, Respondent No.2 has lodged a crime bearing No. 81 of 2021 under Sections 419, 420 of the Indian Penal Code, under Section 66(D) of the Information Technology Act and under Section 21 of the Banning of Unregulated Deposit Schemes Act 2019, registered with CEN Crime Police Station and the investigation of the same is in progress. It appears that, during the course of investigation it is revealed to the Respondent No.2 that, certain fraudulent transactions have been made in the said account of Petitioner and therefore it has directed Respondent No.3 to provide those documents and to assist it in the matter.

5. According to us, the entire cause of action and also issuance of impugned letter dated 22<sup>nd</sup> May, 2021 by Respondent No.2, has arisen at Bengaluru, State of Karnataka. Merely because the bank account of Petitioner, in which alleged fraudulent transactions have been made is situated within the territorial jurisdiction of this Court, it will not ipso-facto

give jurisdiction to this Court to entertain present Petition and to grant reliefs as prayed for.

6. In view of the above, we are of the opinion that, the present Petition is without jurisdiction and is accordingly disposed off.

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)