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Order on MA No.768/22 u/Sec 156(3)

MHCC020075442022



BEFORE THE DESIGNATED COURT UNDER M.P.I.D. ACT
CITY CIVIL & SESSIONS COURT, MUMBAI

ORDER ON MISCELLANEOUS APPLICATION NO.768 OF 2022

Prithviraj Saremal Kothari]
Managing Director of M/s. Riddhi Siddhi Bullions]
Ltd. having their Registered office at 5ABC,]
5th Floor, Trishala Premises CHS, 122,]
Shaikh Menon Street,]
Zaveri Bazar, Mumbai-400002.]... *Applicant*

Versus

1. **M/s. Satyug Gold Private Limited**]
4th floor, C-Wing, Sahar Classique,]
Opp. P&T Colony, Sahar Road,]
Andheri (East), Mumbai-400099.]
2. **Mr. Raj Kundra**]
Founder of M/s. Satyug Gold Private Limited]
3. **Mrs. Shilpa Shetty Kundra**]
Founder of M/s. Satyug Gold Private Limited]
4. **Mr. Mohammad Saifi**]
Director of M/s. Satyug Gold Private Limited]
5. **Mr. Ganpati Shankar Chaudhary**]
Director of M/s. Satyug Gold Private Limited]
6. **Mr. Samir Patil**]
Employee of M/s. Satyug Gold Private Limited]
7. **The State of Maharashtra**]
(Through BKC Police Station, Mumbai)]... *Respondents*

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Appearances:-

Ld. Advocate Harikrishna Mishra i/b Ld. Advocate Vishal Acharya for the Applicant.

Ld. SPP Seema Deshpande for the State/ Respondents

**CORAM : HIS HONOUR JUDGE
N. P. MEHTA,
(Court Room no. 7)**

DATE : 10th June, 2024.

ORAL ORDER

1. The present application is moved by the Applicant for seeking direction to the Police to forthwith register a First Information Report against the accused name in the complaint dated 25.01.2021, 29.04.2022 and 17.05.2022, under Section 156(3) of Cr.P.C. for the offence punishable under Sections 405, 406, 409, 415, 417, 420, 422 r/w Section 120-B of the Indian Penal Code, 1860 (hereinafter referred as "IPC") as well as under Sections 3 and 4 of The Maharashtra Protection of Interest of Depositors Act, 1999 (hereinafter referred as "MPID Act").
2. Perused application. *Prima facie* cognizable offence is made out. Concern police station is directed to investigate the allegations made in the complaint and if any cognizable offence is found to have been committed by accused persons, then register F.I.R. against them under relevant Section of IPC and MPID Act.
3. Copy of complaint along with order be forwarded to BKC Police Station for the purpose of investigation. Hence, the following order :-

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ORDER

1. The present Miscellaneous Application No.768 of 2022 filed by applicant **Prithviraj Saremal Kothari** is hereby allowed and disposed of.
2. The copy of complaint along with order be forwarded to BKC Police Station for the purpose of investigation.
3. Record & Proceeding be sent to said police station by following due procedure of law.
4. Issue letter to Sr. Police Inspector / Station House Officer of BKC Police Station, Mumbai.

(Dictated and pronounced in the open Court.)

Date: 10/06/2024
Mumbai

(N. P. Mehta)
Designated Judge under
The Maharashtra Protection of
Interest of Depositors Act, 1999,
for Gr. Bombay

Dictated on : 10/06/2024
Draft given on : 11/06/2024
Signed by HHJ on : 11/06/2024

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“CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT /ORDER”

12.06.2024 at 12.30 p.m.
UPLOADED DATE AND TIME

Ms. R. D. Tari
NAME OF STENOGRAPHER

Name of the Judge (with Court Room no.)	H.H.J. N. P Mehta C.R. No.07
Date of Pronouncement of Judgment/Order	10.06.2024
Judgment /Order signed by P.O. on	11.06.2024
Judgment/Order uploaded on	12.06.2024