CNR No: GASG060003762026

Presented on: 04.04.2026

Registered on: 07.04.2026

Decided on: 01.07.2026

Duration: Years Months Days

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IN THE COURT OF JUDICIAL MAGISTRATE

FIRST CLASS 'C' COURT AT VASCO, GOA

(Before Purva V. Naik, J.M.F.C., "C" Court, Vasco, Goa)

Cri. Misc. Appln. No.61/2026/C

Ms. Sunita Subash Pawar
Age 26 years, D/o Shri Subash Pawar,
C/o Shri Kashinath H Pawar,
H. No.22, Gandhinagar Baina,
Vasco, South Goa, Goa-403802
Mob. No.7028416779, ... Applicant/ Victim

Vs

State of Goa through Police Inspector/
I.O. of Cyber Crime Branch
Cyber Crime Department
Vasco Police Station
Vasco, Goa.

AND

State of Goa through Asst. Public Prosecutor,
Office of the Asst. Public Prosecutor
Ground Floor, JMFC,
Vasco, Goa ... Respondents

APPEARANCE

Learned APP, Mr. L. Sawant for the State.

Learned Advocate S. Babu for the applicant.

FINAL ORDER

(Delivered on this 1st Day of the Month of July, 2026)

This is an application for release of amount under Section 503 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (**B.N.S.S**., for short).

2. It is the case of the applicant is that on 26th December 2025 the Applicant was contacted by unknown person through Instagram account {his id kiyan_choudharry_11 https://www.instagram.com/kiyan-chaoudary 11?ighs=mxryzwx1b30gxzmq==}.

3. It is further contended that initially, their conversation was friendly and casual, within a day or two, the Applicant shared him with the difficulties the Applicant was facing regarding her parents' health issue and even he shared with her his family problem and he showed concerned and sympathy, which made the Applicant to trust him and later he informed the Applicant that he wanted to send her gifts as a friend and he said he will send gift from the United Kingdom as gold jewellery and cash and clothes from United Kingdom and the Applicant told him not to send, however he said as a friend he is giving her the gifts and told the Applicant to collect it from India i.e. from Mumbai Airport.

4. It is further contended that on 2nd Jan 2026 the Applicant received a call (from 8699874189) stating his name Mukesh Kumar Sharma claiming to be delivery agent, stating that a parcel containing gifts, gold cash arrived from UK and he informed him that the Applicant has to pay Rs. 12,150/- as delivery charges but the Applicant expressed her inability to pay but the Applicant was pressured by the delivery man and the Instagram guy

as the delivery guy said that he has received the parcel from UK, but the one who gave the parcel, he said his credit card was blocked from them so only Indian currency was allowed and the Applicant had to pay them and as promised to repay her later, so trusting him the Applicant paid the delivery man amount of Rs 12150/-.

5. It is further contended that soon after the Applicant was informed that delivery guy has made permission later from India so he informed it to Instagram guy that he was asking for more money later he said he requested him to make permission later for allowance and later delivery man said first the Applicant has to pay charges of Rs 36,000/- anyhow, under his pressure the Applicant paid him Rs. 36,000/- asking from her friend as loan than he said don't worry your parcel will come to him and after few hours he said income tax officer had come and they need charges of Rs. 76000/- for which the Applicant said that she doesn't have that much amount however will pay later but he said madam you have to pay, otherwise income tax will come to the house of the Applicant and if failed to pay the Applicant would have to

face serious legal consequences from the department and with this the Applicant got very scared, after that he said don't worry sister your problem will be solved soon you will get your parcel to your house within some hours your gold jewellery and diamond & cash will come to you safely just wait for some time and he said don't worry once you get your parcel you repay the money from those whom you have taken the loan.

6. It is further contended that the Applicant waited for one day and on the next day he said the Applicant has to pay more charges for the permission from Delhi court for the stamp and Order from them to get my parcel permission and said the Applicant has to pay Rs. 1,60,000/- but the Applicant was literally empty minded and shocked from where the Applicant will pay all these charges and told them to make payment from her Instagram friend but the delivery guy said they don't allow them and said they need urgent Indian currency payment so the Applicant requested them her poor financial condition and can't afford this much money and nobody is there to help her but they said the Applicant has to make

the payment anyhow, the Applicant requested to delivery man please help her and told him if in the parcel if there is cash claim from there he said no he is not allowed to open the parcel and make payment but delivery man and officer said it was not allowed as this is a sealed packed so only the Applicant has to go there and open in Mumbai international airport and the Applicant has to sign it and remove money from the parcel as he knew her possibilities of coming to Mumbai had no chances so the Applicant couldn't do anything and told delivery guy to pay from his pocket and assured that she will pay him back but he said his officer didn't allow him to pay anyone so the Applicant told him to help her so he said he had requested to his officer to make low payment 80000 which the Applicant has to pay so he said pay 80000 now and remaining payment after receiving parcel and further he said that if the Applicant doesn't pay him, the Applicant will lose everything jewellery cash gold and clothes and put the Applicant in such a situation under fear and pressure.

7. It is further contended that due to the constant threats and emotional manipulation, so in this pressure the

Applicant didn't inform anyone and sold her gold jewellery to gold shop and paid them 95,000 from my bank [Indian overseas bank) then he said don't worry your payment is clear your parcel will reach to you; soon than after 30 min he said his officer is not agreeing for this much payment and the Applicant has to pay last more 15,000 then again, I went to bank and paid him 15,000 and all after this all thing on 6 January 2026 night asked him about the parcel he said that by morning he will bring the parcel but the Applicant didn't receive any parcel and ultimate/she ended up paying him a total Rs. 2,78,170/-.

8. It is further contended that during this period, her cousin brother and aunt noticed her distress and took to police station and the necessary complaint was filed on 07th January 2026 addressed to the Respondent No. 1. The Applicant was told by the Cyber Police that certain amounts have been already recovered and put on hold through bank and the Applicant is ready to co-operate with investigation/ hearing and also ready to furnish the Bond as required by the law in case the amount put on hold is released to Applicant's Bank account. The Applicant through her

advocate has even made a request to file the application in accordance with the Standard Operating Procedure (SOP) for NCRP-CFCFRMS, Custody, Restoration of money and Grievance Redressal, formulated by the Ministry of Home Affairs, Government of India, which was circulated by the Hon'ble High Court of Bombay at Goa and upon which, the Respondent No. 1/Cyber Crime Department officials have stated that they have no problem to accept the said application, however, unlike this Hon'ble Court, the power of police is very much limited and they are legally bound to take the steps with the necessary approvals from their higher-up at each stage which can unnecessarily prolong the procedures to years and years and the purpose of releasing the amount shall be further delayed and totally defeated, thereby the "justice delayed is justice denied" and therefore the Applicant has been compelled to knock the door of this Hon'ble Court for the speedy justice. The Cause of Action arose on 02/01/2026 when the first transaction has happened, followed by various transactions and complaint, further when the complaint was acknowledged/registered by Cyber Crime Police and hence, prayed to pass the Order directing the ME Respondent No. 1/ Police Inspector of Vasco Police Station to get the money released to the Applicant's savings bank account No. 019401000014872 at Indian Overseas Bank, Vasco, Goa having IFSC: IOBA0000194, MICR: 403020013 of the Applicant.

9. The say of the IO was called for and the IO has filed say at **EXH C-3,** contending therein that various amounts linked to these transactions have been successfully been marked under lien/ put on hold in suspects accounts across different banking entities and hence, prayed to pass deem fit orders.

10. Heard Ld. APP Mr. L. Sawant for the State, Ld. Adv. S. Babu for the applicant and considered the say of the I.O. Perused the records. Following point arise for my determination and my findings and reason thereon are as under:-

"***Whether the Applicant has made out a case for the grant of the present Application?***

REASONS

11. All that the court will have to consider is whether the applicant is entitled to possession of the said money. It is seen that the trail of part of the said money has been traced and therefore no prejudice will be caused if the present application is granted. However, it is hereby made clear that the present application is limited only to Rs. 1,05,959.7/-. Hence, in my considered view, I deem it fit to allow the present application.

12. In the light of above, I pass the following Order:-

ORDER

The application is partly granted.

The money on which lien has been marked by Cyber Crime branch, Cyber Crime Department, Vasco Police Station, Vasco Goa alloted acknowledgement Nos. 31001260000071, 31001260000073 and 31001260000076 that is Rs. 12,250.00/-, Rs.93,703.70/- and Rs.6.00/- respectively is directed to be released to the applicant on execution of Indemnity Bond of Rs.1,10,000/- (Rupees One Lakh Ten Thousand Only) and the applicant is bound by the following conditions:

i. The applicant shall not dispute the release of the said amount, as and when directed by the IO/Court.

ii. The applicant shall furnish the detailed address along with ID proof.

iii. The said money to be released if not required in any other crime.

iv. Present CRMA be tagged along with the chargesheet.

Pronounced in Open Court.

Proceedings Closed.

Vasco-Goa.
Date:01.07.2026.

(Purva V. Naik)
Judicial Magistrate First Class,
C-Court, Vasco Goa.

dmf/-