Criminal Misc. Application No. 71 of 2026
Online Financial Fraud No. 31108250155508

- : : ORDER : : -

1. The applicant has filed present application to release the amount which had been freezed by the Police / Cyber Crime Unit. Further, the applicant is victim of Cyber Fraud and as and when the applicant came to know about the fraud which had been committed with the applicant, the applicant immediately took help of Cyber Crime Unit and the amount which was transferred from his / her account was freezed by the Cyber Crime Unit. The applicant has prayed before this Court to release the amount which had been freezed by the Cyber Crime Unit. The details of the freezed amount is as under.

Sr. No.	Bank Name	Account no.	IFSC Code	Release Amount
1.	Punjab National Bank	1086201700288661	PUNB0108620	Rs.14,071.04/-
2.	Bank of Maharashtra	60492277973	MAHB0002365	Rs.22,115.35/-
3.	HDFC Bank	50200065587201	-	Rs.81,000/-
Total				**Rs. 1,17,186.39/-**

2. The Cyber Crime Police Inspector, Kavi, Bharuch has produced the opinion of letter dated 11.03.2026 and opined that on the complaint of the complainant the above referred amount was freezed in above mentioned suspicious Bank Account. Further he has clearly opined that the amount may be returned to the applicant, as per the conditions framed by the Hon'ble Court.

   The Ld. A.P.P. has made an endorsement and strongly objected to the return of the muddamal article.

3. Looking to the facts of the case, there has been no FIR filed in the present case and no one has been arrested in this matter so far as well as no one has come before the Court to release the freezed amount except the applicant. Hence, as per the opinion of the competent authority i.e. Police, the amount is required to be returned to the applicant.

4. In view of the above discussion and facts of the case, the applicant through documentary evidences has proved to the satisfaction of this Court that the account in which the amount was freezed belongs to him and hence, this Court is of the opinion that the amount which was freezed shall be ordered to get released and paid to the applicant. Further as held in the Judgment of Hon'ble Supreme Court in *Sunderbhai Ambalal Desai V/s. State of Gujarat, 2003(1) G.L.H. 307,*

the application is required to be allowed and in the interest of justice, I pass the following final order.

-:: Final Order ::-

1. The Application U/s.503 of the BNSS is hereby Allowed.
2. As per the written opinion of the Investigating Officer the amount held in the bank seized in connection with the above cyber fraud is ordered to be returned to the applicant on furnishing a surety and personal bond of one and half of the amount seized in the concerned police station.
3. Yadi be issued to the concerned police station.

Conditions :-

a. It is further ordered that, as per the order of the Court, the below mentioned concerned bank shall defreeze the amount and release the said amount in the Bank of Baroda, Kavi Branch bearing account number 08400100012361 IFSC code:- BARB0KAVIXX of complainant Mohmad Khalil Jahanghir Malek and submit the report to the Court.

b. The Bank is directed to inform the Court and the concerned Police station about the compliance of the order within 10 days after receiving the information of the Court Order.

Sr. No.	Bank Name	Account no.	IFSC Code	Release amount
1.	Bank of Baroda	08400100012361	BARB0KAVIXX	Rs. 1,17,186.39

-: Terms :-

1. The applicant is hereby ordered to produce the said amount before this Hon'ble Court as and when the Court orders for it.
2. If any other person (except the applicant) made claims about the said amount and proves his/her interest, in that circumstances, the applicant will have to return the said amount.

Order pronounced and signed today in open Court on 17th of March, 2026.

Place :- Jambusar
Date :- 17/03/2026

Amar Dineshchandra Rao
Additional Chief Judicial Magistrate
Jambusar
UIC : GJ01480

JNR