

GJKT020016702026



**IN THE COURT OF CHIEF JUDICIAL MAGISTRATE
AT BHUJ,KACHCHH
(Presided Over by M.M.QURESHI)**

CRMA J/ 451/2026

Applicant

JITENDRA ISHWARLAL VELANI

Age: 41 years,

Residing at

SUN CITY,MIRZAPAR,
BHUJ-KACHCHH

VERSUS

Opponent

1). The State of Gujarat

**Subject : Application under Section 497 and 503 of
the BNSS.**

Appearance:

Ld. Advocate V.R.Jadeja for the applicant.

Ld. A.P.P. for the opponent.

:: O R D E R ::

1. The applicant has filed the present application under Sections

497 and 503 of BNSS to release the muddamal amount of **Rs.11,000/-**.

2. The brief fact of the application is that the applicant is a victim of cybercrime, and without his consent, the amount of **Rs.11,000/-** was debited from his account; therefore, he logged a complaint on the CFCFRMS portal vide acknowledgement/ Ticket/ Inward No.**31102260033050** and informed about the offences and provided his bank details to the investigation officer. Upon receiving the complaint, the investigation officer frozen the following Bank Account in which the total amount of **Rs.11,000/-** was frozen, and the applicant claimed the amount of **Rs.11,000/-**.

Sr. No	Name of the Bank	Account No.	Frozen Amount Rs.	Transaction Id / UTR Number
1	Fino Payments Bank	30000072197	11,000/-	640898104435
TOTAL AMOUNT FROZEN Rs.			Rs.11,000/-	

Therefore, he claimed **Rs.11,000/-** amount of fraud, and on the other side, no one claimed the frozen account.

3. The learned advocate representing the applicant argued that the applicant fell victim to cybercrime, and the investigating officer seized the bank account to which the victim's funds were transferred. Therefore, the applicant should receive the transferred funds. Further, no other person has claimed the amount paid till date. If the principal amount remains in the bank for a long time, the applicant may face a financial crisis and suffer a lot of inconvenience due to not being able to use

the principal money. So the applicant has requested to return the amount in question to them. Additionally, he stated that the concerned bank has no connection to the matter and is not the trustee of the said amount. According to the police report, no objections were raised regarding the frozen account, and the investigating officer submitted favourable remarks in support of the application.

4. On the other hand, the learned Additional Public Prosecutor requested to pass an appropriate order.
5. A police opinion has been sought in this case. According to the opinion of the investigation officer, the police have seized the amount in question based on the complaint of the applicant. The account holder or any other person has not raised any objection regarding the seizure of the bank account containing the amount, stating that the seized account is found to be fake, and has given an opinion to hand over the claimed amount to the applicant.
6. I have perused the application, relevant record, report of the Investigating Officer, and the material placed on record. It appears that:
 1. The complaint was duly registered and processed through NCRP/CFCFRMS.
 2. The amount in question has been identified and kept on hold by the concerned Bank/Financial Institution.
 3. The Investigating Officer has verified the transaction and prima facie established that the said amount pertains to the present Applicant/Victim.

7. As per the Standard Operating Procedure (SOP) issued by the Ministry of Home Affairs for NCRP–CF CFRMS, the amount put on hold may be released to the rightful victim through due legal process, including orders under Section 106(3), 497 and 503 of BNSS or by order of the competent court.
8. In view of the above and considering that the Applicant is prima facie entitled to the said amount, this Court deems it just and proper to grant interim custody of the said amount to the Applicant/Victim. Therefore the following order pass.

:: FINAL ORDER ::

1. This application is hereby **ALLOWED**.

Release of Seized Funds: The Muddamal amount of **Rs.11,000/-** seized by the Cyber Crime Cell in connection with acknowledgement/ticket/inverd **No.31102260033050** and the following Bank's are **ordered released** the frozen the amount shown in the statement below to the applicant, **JITENDRA ISHWARLAL VELANI**, as **interim custody** pending final disposal of this case.

Sr. No	Name of the Bank	Account No.	Frozen Amount Rs.	Transaction Id / UTR Number
1	Fino Payments Bank	30000072197	11,000/-	640898104435
TOTAL AMOUNT FROZEN Rs.			Rs.11,000/-	

2. **Security and undertaking:**

- 2.1. The applicant shall furnish, by way of security, a bond amounting to the seized amount and also provide a surety of equivalent value.

- 2.2. The applicant shall further file an undertaking to produce the aforementioned amount as and when directed by this court.
 - 2.3. The applicant shall appear before the I.O. as and when called for and cooperate with the investigation..
3. Upon receiving the bond and surety, the police officer shall immediately inform the concerned Bank to comply with this order.
4. **Bank Instructions:**
 - 4.1. After receiving the order through the IO the bank ensure that the amount identified and kept on hold is **transferred to the victim's account without delay.**
 - 4.2. Update the status of the transaction and release on the **CFCFRMS portal**, including details of the amount released.
 - 4.3. Maintain proper record of the transaction and compliance for audit and investigation purposes.
 - 4.4. Not disclose the identity of the victim to the suspect account holder, in accordance with SOP guidelines.
 - 4.5. In case of multiple victims or insufficient balance, appropriate compliance as per SOP (including proportional distribution, if applicable) is followed.
5. **Communication of Order:**

- 5.1. The Registry shall communicate this order to the concerned police station for immediate compliance.
- 5.2. The Investigating Officer shall ensure compliance of this order and file a compliance report before this Court.

Signed and Pronounced in the open court today, April 23, 2026,
at Bhuj.

(Mohammed Zaid M. Qureshi.)
Chief Judicial Magistrate,
Bhuj-Kachchh
Code No.GJ01472.

| Meet |