Criminal Misc. Application No.415/2026

ORDER BELOW EXH. 1

[1] The present application is filed by the applicant u/s.503 of B.N.S.S. The brief facts of the present application is such that, the present applicant, namely, **Khushbooben Jayeshbhai Chhatbar** is a victim of cyber crime fraud. It is the say of the applicant that, from her Bank Account No.**5347379406** with **Kotak Mahindra Bank**, she lost money amounting to **Rs.89,800/-**, due to the cyber crime committed with her.

[2] It is the say of the applicant that, the said fraud was reported to the Cyber Crime Information Report System on its Toll Free No.1930 and persuant to the complaint, the bank accounts of the suspects have been frozen with following details :-

Sr. No.	Name of Account Holder	Bank Name	Bank Account Number	Amount Frozen (Lien/Hold)
1	Mrs. Vinaben Pareshbhai Rathod	Canara Bank	110266540343	2,000.00/-
2	Mrs. Ruby Vishal Singh	HDFC Bank	50100318187620	800.00/-
3	Bhikhubha Hematsing Bhatesariya	Indian Bank	8146237298	1,997.00/-
4	K. Sakthivel S/o	Indian Bank	6304741689	720.80/-

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Sr. No.	Name of Account Holder	Bank Name	Bank Account Number	Amount Frozen (Lien/Hold)
	Krishnan			
5	Kamalkumar Kantilal Luhar	Indian Overseas Bank	251401000004502	1,003.00/-
6	Mr. Reema Parveen S	Union Bank of India	0744220100012430	1,000.00/-
7	Mr. Anil Ravidas	Bank of India	481110110012666	7,000.00/-
8	Mr. Ananda	State Bank of India	43214724852	1,974.51/-
Grand Total				**16,495.31/-**

Thus, the amount as shown in the above table, was freezed by the Cyber Crime Police Authority u/s.106 of B.N.S.S.

[3] It is the prayer of the applicant that, the alleged fraudster has duped her and therefore, the amount from the account of the suspect shall be defreezed and shall be transferred to her account.

[4] The applicant has in support of her application produced her Aadhar Card copy, Applicant's Bank Statement, Online Cyber Crime Complaint copy, Bank Statement of Suspect, Report of the Investigation Officer.

[5] I have heard the Learned Advocate of the applicant. Further, the documents produced by the applicant have been perused. The report of the Investigating Officer has been perused and it states that, subsequent to the present offence, they have freezed the account of the suspect and notice has also been issued to the suspect. The report of the I. O. states to return the money from the account of the suspect to the account of the applicant.

[6] From the facts of the application, documents produced and the report of the I. O., it indicates that, the present applicant is a victim of cyber crime and the money trail which lead to suspicion has finally resulted in freezing the account of the suspect. The applicant has sought the reversal of her lost money which is at present in the account of the suspect. Considering the judgement of the Hon'ble Supreme Court of India in the case of ***Sunderlal Ambalal Desai Vs. State of Gujarat***, the owner shall not suffer because of the muddamal remaining unused. The amount which is freezed, is of daily necessity to the applicant. There are no claimant who have approached the present court to claim or unfreeze the account, therefore, considering the overall facts and circumstances of the case, it seems in the interest of justice that, the present application shall be allowed and therefore, I pass the final order below.

-: **ORDER** :-

The present application is allowed. The office is hereby directed to issue intimation to the following banks to

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defreeze the amount of the Suspects, as shown in the following table; and to transfer the said amounts, to the account of the applicant, namely, **Khushbooben Jayeshbhai Chhatbar** in her **Kotak Mahindra Bank** Account No. **5347379406 :-**

Sr. No.	Name of Account Holder	Bank Name	Bank Account Number	Amount Frozen (Lien/Hold)
1	Mrs. Vinaben Pareshbhai Rathod	Canara Bank	110266540343	2,000.00/-
2	Mrs. Ruby Vishal Singh	HDFC Bank	50100318187620	800.00/-
3	Bhikhubha Hematsing Bhatesariya	Indian Bank	8146237298	1,997.00/-
4	K. Sakthivel S/o Krishnan	Indian Bank	6304741689	720.80/-
5	Kamalkumar Kantilal Luhar	Indian Overseas Bank	251401000004502	1,003.00/-
6	Mr. Reema Parveen S	Union Bank of India	0744220100012430	1,000.00/-
7	Mr. Anil Ravidas	Bank of India	481110110012666	7,000.00/-
8	Mr. Ananda	State Bank of India	43214724852	1,974.51/-
Grand Total				**16,495.31/-**

2). The applicant is hereby directed to execute indemnity bond of **Rs.16,500/-** before this court with the condition for indemnifying the said amount against any third party

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claim, if any, in future and shall deposit the said amount as and when directed by the court.

Pronounced and declared today in the Special Sitting held on National Lok Adalat on the 11th day of July, 2026 at Morbi.

Date : 11/07/2026

Place : M o r b i

Mr. V. R. Chaudhari
2nd Additional Senior Civil Judge &
Additional Chief Judicial Magistrate
M o r b i
(U. I. C. No. GJ00815)

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