Order Below Exh. 1

1. The applicant - Dharmisthaben Narendrakumar Joshi has preferred present Criminal Misc. Application under the provisions of Section 497 and 503 of Bharatiya-Nagrik Suraksha Sanhita, against the Gujarat State - Superintendent of Police, State Cyber Crime Cell, C.I.D. Crime, Gandhinagar (Cyber Cell), Dahod.

2. In nutshell the facts of the case are that, the applicant is having bank account in (1)State Bank of India vide account No.30704074334 and from this account Rs.27,000/- have been withdrawn. In this connection she has filed complaint in Cyber Ashvast by dialing number 100 (at present 1930) which was registered as 31102250028110 on 05.02.2025. Then after, out of this amount, the bank into which the deducted amount has been credited has frizzed Rs.27,000/-

3. **Details of applicant's account is as under :.**

1. Name of Account Holder:	**Dharmisthaben Narendrakumar Joshi**
2. Name of Bank	State Bank of India
3. Account Number	30704074334
4. Date of Incident	05.02.2025
5. IFSC Code	SBIN0010992

4. **Details of Opponent's account is as under:**

1. Name of Account Holder:	**Not Available**
2. Name of Bank	**FINO PAYMENTS BANK**
3. Account Number	**20374411914**
4. Amount	**18,000/-**

Details of Opponent's account is as under:

1. Name of Account Holder:	**Not Available**
2. Name of Bank	**FINO PAYMENTS BANK**
3. Account Number	**20374411914**
4. Amount	**9,000/-**

5. In support of her application, the applicant has submitted copy of Aadhar Card, copy of Bank Passbook, copy of Transactions and copy of Statement.

6. The Investigating Officer has submitted his opinion. Considering the opinion of the Investigating Officer it seems that from applicant's (1)State Bank of India vide account No.30704074334 and from this account Rs.27,000/- have been withdrawn, in this regard she has filed complaint in Cyber Ashvast by dialing number 100 (at present 1930) which was registered as 31102250028110, then after, out of this amount Rs. 27,000/- is frizzed u/s. 106 of BNNS, then as no one has filed objection before the Police the Investigating Officer, has opined to release/refund the frozen amount to the applicant.

7. On perusal of the facts and documents produced on record as well as the amount claimed by the applicant is lying in the bank, hence, considering the opinion of Investigating Officer, the amount withdrawn from the applicant's account and frozen u/s.106 of BNNS is necessary for his livelihood, further, as there are no objection has been filed by the Investigating Officer or any other person, considering the principle laid down in the case of **Sunderbhai Ambalal Desai V/s. State of Gujarat,** reported in 2003(1) GLH 307, in the

interest of justice, passed the following order.

:: ORDER ::

1. The application is hereby allowed.

2. The Investigating Officer/Bank is hereby directed to release the frozen amount of Rs. 27,000/- and credit in the State Bank of India'S account no.30704074334 ,having IFSC NO.SBIN0010992 applicant, after furnishing bail bond of Rs. 27,000/- and one surety of like amount before the Investigation Officer.

3. It is treated as interim custody.

4. The Investigation Officer/Bank is directed to comply with this order within 15 days of receipt of this order.

This Order is pronounced and signed in Lok Adalat, today, i.e. 13th September, 2025.

Date: 13/09/2025 (Pragnesh Sudhirchandra Suchak)
Place:Dahod Chief Judicial Magistrate,
Dahod - GJ01118