

Criminal Misc. Application No. 373/2026**Exh.****Applicant : Rameshbhai Prabhachai Patel****Versus****Opponent : Government of Gujarat**

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Appearance :

Learned Advocate Mr. A. M. Rabari for the applicant.

Learned APP Mr. C. M. Kachhiya for the opponent.

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:: ORDER ::

- 01.** The present application has been filed by the applicant under Section **497** and **503 of BNSS** to release or refund the amount frozen in the bank.
- 02.** It is submitted by the learned advocate for the applicant that the applicant is having a Bank Accounts in **Axis Bank, Idar** branch bearing account No. **914010011144091** sum of **Rs.50,000/-** as well as in **HDFC Bank, Idar** branch bearing No. **16991000006859** sum of **Rs.60,91,328/-** thus total of **Rs.61,41,328/-** is deducted from the above mentioned accounts of the applicant without his permission and

consent, therefore, the applicant had registered complaint (ticket No. 31105250105663) dated 31.05.2025. On basis of complaint, the following accounts of the respective bank have been frozen by the Cyber crime police.

Bank Details	Account No.	Amount in Rs.
State Bank of India	32732784542	1963.14
Kotak Mahindra Bank	7348387220	2000.00
HDFC Bank	50100327407090	1418.00
Punjab National Bank	0325010457187	2273.00
Kotak Mahindra Bank	0313241367	11140.00
ICICI Bank	091901506074	2608.00
Fino Payments Bank	3218000302	8851.61
ICICI Bank	002101527074	18495.75
HDFC Bank	50100024557026	52090.08
Kotak Mahindra Bank	0349582571	25000.00
Federal Bank	10530100176787	7727.30
UCO Bank	24190110028742	27458.16
Kotak Mahindra Bank	3412090522	41831.67
Federal Bank	77770111760316	1200.00
ICICI Bank	158001500127	27880.37
Bank of Maharashtra	68018231592	2000.00
Bank of Maharashtra	60422045435	1642.70

Yes Bank	018161900007121	1402.14
IDBI Bank	0637104000082721	1000.00
Bank of India	300010510004307	2000.00
Fino Payments Bank	20358668467	1000.00
HDFC Bank	50100216980245	25000.00
Union Bank of India	089921010000108	2900.00
State Bank of India	20496783495	1264.00
State Bank of India	31554592405	2500.00
State Bank of India	38671021516	1706.89
HDFC Bank	50100276676409	1200.00
Punjab National Bank	9867000100034556	10000.00
Bank of Baroda	46550100008528	1020.00
State Bank of India	10202154083	13600.00
State Bank of India	10354092075	14142.96
Bank of Baroda	04510200001088	9940.00
DCB Bank	26221900000903	5000.00
Bank of Baroda	78300500000630	1200.00
State Bank of India	391902000477	50000.00
ICICI Bank	246701504351	2602.74
Bank of Baroda	67670100001752	1000.00
Bank of Maharashtra	60529763931	3723.56
IndusInd Bank	100024151626	1128.00
ICICI Bank	350801000419	2400.00
ICICI Bank	748305500164	10000.00

ICICI Bank	022405004846	20839.00
Union Bank of India	188310100167001	1175.00
Federal Bank	77780102083040	3520.00
Airpay	115027600000036	27500.00
IDBI Bank	0637104000107310	1100.00
Karnataka Bank Ltd.	0568202400006701	3786.00
Indian Bank	738860730	1000.00
Ratnakar Bank Ltd.	409001741217	5996.00
Bank of India	901210110004012	6430.80
Central Bank of India	00000004038912674	2300.00
State Bank of India	30130920888	3000.00
Indian Bank	6968201444	1404.96
Bank of Baroda	08288100009528	1545.00
HDFC Bank	50200023693408	3418.80
State Bank of India	10363891668	10536.20
IDBI Bank	1660102000019927	20306.00
Central Bank of India	000000022922756820	9000.00
Punjab National Bank	3936000100266426	2015.00
Kotak Mahindra Bank	0047475922	8255.23
Central Bank of India	00000003926245086	8604.82
Bank of Baroda	44868100002104	2817.00
ICICI Bank	057001526189	2000.00
State Bank of India	53016620402	5000.00
IDBI Bank	0340102000007917	6458.00

Airtel Payments Bank	8435373071	3515.72
Airtel Payments Bank	7004730022	1132.44
	Total Rs.	5,63,966=04

- 2.1** It is further submitted that no F.I.R has been registered till date. It is further submitted that the applicant suffered financial loss as he cannot withdraw the amount from the said accounts for daily use, travel, food and other expenses etc. therefore, the present application has been preferred by the applicant to get back the amount mentioned in the application.
- 03.** Learned APP Mr. C. M. Kachhiya appearing for the respondent State submitted to pass appropriate order.
- 04.** On the other hand, after filing of the present application that the opinion of Cyber Crime Cell has been called for, in which he has opined that after seizing suspicion accounts, no objection has been received from the account holders or any other person. It is further submitted that they have no objection if frozen amount to be refund to the applicant in his account.
- 05.** Perused the application, papers submitted along with the

application and opinion given by the Investigation Officer. From the above material, it transpires that No F.I.R has been lodged till date and no person has been arrested regarding the incident. Moreover, no person other than present applicant has claimed amount lying with the bank concerned. Moreover, the Investigation Officer has given a positive opinion to transfer the amount in favour of present applicant. Hence, this Court is of considered view that amount frozen in the following accounts, be transferred to the applicant's account. Hence, following order is passed in the interest of justice:

:: Final Order ::

01. The present application is hereby allowed.
02. Applicant is directed to furnish personal bond and surety equivalent of the frozen amount before concerned police station.
03. It is further ordered that concerned Police Station shall intimate this order to the concerned bank and on receipt of intimation made by the Police as stated above, all concerned bank is directed to transfer **Rs.5,63,966=04 paisa** in **HDFC Bank, Idar** branch bearing A/c. No. **16991000006859** of applicant as prayed.

04. After transferring the amount in the bank account of the applicant, the Bank Authority is directed to intimate the same, and submit its compliance report to this Court as well as to the concerned police station.
05. The applicant is bound to return the above said amount if any person or account holder is proved his claim over the said amount.

Order signed & pronounced in the special sitting on
06th day of May, 2026.

Place : Himmatnagar
Date : 06.05.2026

(Ms. Jyotsna Vinubhai Parmar)
Chief Judicial Magistrate Court
S. K. @ Himmatnagar
Judge Code no. GJ01021

*PARJITSINH