Criminal Misc. Application No. 389/2026

Exh.

Applicant : Suchiben Paragkumar Shah

Versus

Opponent : Government of Gujarat

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Appearance :

Learned Advocate Mr. J. D. Zala for the applicant.
Learned APP Mr. C. M. Kachhiya for the opponent.

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:: O R D E R ::

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 Account in **UCO Bank, Himmatnagar** branch bearing account **No. 24010110010594** sum of **Rs.23,200/-** is deducted from the above mentioned account of the applicant without her permission and consent, therefore, the applicant had registered complaint (**ticket No. 31109250183027**) dated

11.09.2025. 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.**
Indian Bank	8114031216	11566/-
GP Parsik Sahakari Bank Ltd.	39102300607412	11634/-
	Total Rs.	**23,200/-**

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 she 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 her 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.23,200/-** in **UCO Bank, Himmatnagar** branch bearing A/c. No. **24010110010594** 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 her claim over the said amount.

Order signed & pronounced in the special sitting on **10th day of June, 2026**.

Place : Himmatnagar
Date : 10.06.2026

(Amit Bipinchandra Mamtora)
Chief Judicial Magistrate Court
S. K. @ Himmatnagar
Judge Code no. GJ01059

*PARIJITSINH