IN THE COURT OF JUDICIAL MAGISTRATE FIRST CLASS, (COURT NO.10), NAGPUR.

Cri. M. A. No. 3012/2025

Applicant :- **Navin Shyamkant Shendre,**
Aged – 37 Years, Occ. Service,
R/o. Plot No. 35, KDK College Road, Near Adishakti Nagar, New Nandanvan, Nagpur.

– **Versus** –

Non-applicants :- **The State of Maharashtra,**
through Cyber Police Station,
PS Nandanvan, **Nagpur and others.**

Advocate for applicant :- Aniket Kesharwani
A.P.P. for State. : - Smt. Priyanka Chopde

ORDER BELOW EXH. 01
(Passed on dated 07/08/2026)

This is an application filed under section 503 of BNSS for interim custody of **Freezed amount** which has been frozen by the bank. Present amount was frozen by Cyber Police Station, Nagpur City in **Complaint No. 31905250076893.**

2] Heard Ld. Advocate for applicant and Ld. A.P.P., at length. Say of I.O. & Ld. A.P.P. has been called. I.O. filed say at **Exh.4** and did not oppose the application. He submitted that present amount prima-facie belongs to applicant. In present case, accused played fraud on applicant and total of **Rs. 73,296/-** was unauthorizedly debited from applicant's Bank account. Said amount was transferred in following accounts.

Sr. No.	Name of Bank	Account No.	Name of Account Holder	Amount of applicant credited in account of accused.	Amount in account of accused
1	Union Bank of India	582202010019875	Shubham Singh Digwa	15,000.00	15,358.00
2	Bandhan Bank	20200073818280	Sameer Khan	5,644.00	6,790.00
3	Bank of Baroda	58180100005464	Mr. Muzib	200.00	2,097.00
4	Bank of Baroda	33840100009624	Miss. Maisha Khan	2,200.00	4,701.00
5	State Bank of India	31855168303	Mr. Sanaul S	494.92	12,091.00
6	State Bank of India	20445670298	Mr. MD Aftab S/o. Md. Ansar Malik	566.00	29,182.00
7	State Bank of India	42049908435	Miss. Monika Oberai	6,255.00	6,377.00
8	State Bank of India	31155874438	Mr. Lingam Elijah Amareshwara Camp	26.94	1,567.00

Said Bank. Accounts were immediately frozen. Above mentioned accounts are operated and owned by accused persons. Therefore, investigating officer and Ld. APP do not have any objection to transfer said amount to the applicant.

3] Perused documents attached with application. Say of said accounts holders were called and noticed issued to them by RPAD. The advocate has filed track report of the said notices issued to accused.

But, in spite of **sufficient opportunities** said account holders were not appeared in Court to present their claim or objection over said amount. In present case amount in above mentioned accounts holder Bank account have been frozen for long time. They did not appear before Court or try to present their objection against said action. Therefore, their conduct shows that, they do not have any objection to handover said amount to applicant.

4] Considering nature of offence, all details of transaction were seized by I.O. Therefore, if frozen amount would handed over to applicant then prosecution evidence would not tamper. As well as, if said amount keep in frozen step as it is till disposal of case, then it causes great monetary loss to the applicant and it will amount to injustice with victim. Nature of crime also shows that, said Bank account is operated by accused person to cheat victim. Therefore, following Bank account which having potential amount i.e.

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2	Bandhan Bank	20200073818280	Sameer Khan	5,644.00	6,790.00
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is selected to handover amount of victim. Hence, considering facts and circumstances of present case, I proceed to pass following order-

<u>ORDER</u>

1] Application is allowed.

2] **Following Bank, Main/Concern Branch, Nagpur** are directed to transfer frozen amount and from account as per column into applicant's accounts as per his/her choice.

Sr. No.	Name of Bank	Account No.	Name of Account Holder	Amount of applicant
1	Union Bank of India	582202010019875	Shubham Singh Digwa	15,000.00
2	Bandhan Bank	20200073818280	Sameer Khan	5,644.00
3	Bank of Baroda	58180100005464	Mr. Muzib	200.00
4	Bank of Baroda	33840100009624	Miss. Maisha Khan	2,200.00
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7	State Bank	42049908435	Miss. Monika	6,255.00

	of India		Oberai	
8	State Bank of India	31155874438	Mr. Lingam Elijah Amareshwara Camp	26.94
Total :-				**30,386.86**

3] Applicant is directed to execute undertaking that, if ownership of said amount would decided in favour of other person, then he/she will forthwith deposit said amount as per Court's direction.

4] The applicant is directed to maintain balance in accordance with the amount refunded by the Court.

5] **Above said Bank, Main/Concern** Branch, Nagpur is directed to obtain residential as well as identity proof of the applicant.

6] Inform to I.O/PSO, Cyber Police Station and **Above said Bank, Main/Concern Branch, Nagpur** accordingly.

7] Humdast is allowed at the risk of advocate / applicant.

DISTRICT COURTS MAHARASHTRA

Order
Digitally signed by
SONAWANE SUSHIL
KASHINATH
Date: 2026.08.07
17:48:08 +0530

(**S. K. Sonawane**)
Judicial Magistrate First Class,
(Court No.10), Nagpur.

Date : 07/08/2026.
Nagpur.

<u>C E R T I F I C A T E</u>

I affirm that the contents of this P.D.F. file of order are word to word as per original order.

Name of Stenographer : A. S. Yerpude