

IN THE COURT OF JUDICIAL MAGISTRATE FIRST CLASS,
17TH COURT, BORIVALI, MUMBAI

Notice No. 605/N/2026
North Region Cyber Police Station

ORDER BELOW EXH. 1

Present application is filed by applicant viz. Sanjay Roopchand Gupta praying for defreezing amount of Rs. 11,30,555.27 in his account.

2. Applicant has stated that he has lodged FIR bearing no. 85/2026 for cheating and fraud. During investigation, bank accounts are freezed wherein amount is transferred. Hence, applicant prayed to defreeze said amount.

3. Perused application as well as say filed by I.O. and Ld. APP I.O. has given no objection for allowing the application. It has been contended by Ld. APP that if amount is given to the applicant, he may dispose of the same.

4. To support the contentions in the application, applicant has filed his affidavit. Applicant has produced on record photocopies of FIR, Aadhaar Card and bank statement of his account maintained with ICICI Bank, branch Malad (East).

5. Heard both sides. Ld. Advocate for applicant has filed pursis praying that amount as per say of IO be returned. After taking into consideration the say filed by police, it is clear that bank accounts are freezed wherein amount is transferred. *Prima facie* applicant appears to be entitled to get the temporary custody of the amount which is freezed. Considering the nature of offence, the Court is of the opinion that

conditional order will suffice the purpose. Hence, amount can be defreezed and reverted to the applicant's account. Therefore, the Court proceed to pass following order.

ORDER

- i. Application is allowed.
- ii. Investigating Officer is directed to transfer the seized freezed amount in the account of applicant bearing no. 028101519282, IFSC Code-ICIC0000281 maintained with ICICI Bank, branch Malad (East), after receipt of bank details from the applicant.
- iii. Applicant shall execute his indemnity bond of Rs. 13,02,375/- (Rs. Thirteen lakhs Two thousand Three hundred Seventy-five only) subject to the following conditions.
 - a) Supurtnama be executed in concerned police station on it's due identification.
 - b) Concerned police station to transmit copy of Supurtnama to this Court.
 - c) If it is proved subsequently that the applicant is not entitled to the above stated amount, he shall be liable to deposit the said amount in the Court.
- iv. Office to issue memo accordingly.

Date : 24.07.2026

(A. A. K. Shaikh)
Judicial Magistrate First Class,
17th Court, Borivali, Mumbai.