# IN THE COURT OF JUDICIAL MAGISTRATE FIRST CLASS, 3rd COURT, CHIKHLOLI-AMBERNATH, DISTRICT - THANE

| MHTH320115862026 | Sanket Manoj Aute<br><br>Vs.<br><br>Badlapur (East) Police Station. |
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## ORDER BELOW EXH. 1 IN O.M.A. No.246/2026.

By way of this application vide section 503 r/w. 106 of B.N.S.S., the applicant prayed that to release and disburse the debited freezed amount of Rs.74,220.89/- return to the applicant bank name Indian Bank, Account No.50492998399, IFSC Code.IDIB000B525, Branch in Badlapur West, by de-freezing the account in connection with Acknowledgment No. 31901260023032, 31902260024297, 31902260024319.

**2.** According to applicant, accused persons committed online fraud with the applicant by demanding cash from the applicant for visa and medical expenses in order to joining job in the advance house company. After that, accused has withdrawn amount of Rs.1,26,489/-. Therefore, applicant filed complaint on Portal Acknowledgment No. 31901260023032, 31902260024297, 31902260024319. Meanwhile Badlapur (East) police station took cognizance of the complaint of applicant and issued notice to the following banks regarding freezing the account of the accused as mentioned below.

| Sr No. | Bank Name | Account No. | IFSC Code. | Rupees |
|---|---|---|---|---|
| 1. | Kotak Mahindra Bank | 9047238940 | KKBK0000296 | 189.23/- |
| 2. | Axis Bank | 921010005142733 | UTIB0002369 | 15,000/- |
| 3. | ICICI Bank | 777701066225 | ICIC0007777 | 3,498.06/- |
| 4. | State Bank of India | 36214442725 | SBIN0007461 | 220.51/- |
| 5. | Central Bank of India | 00000003023141401 | CBIN0283472 | 10,280/- |
| 6. | ICICI Bank | 060501001390 | ICIC0SF0002 | 21,595.84/- |
| 7. | Indian Overseas Bank | 055101000070665 | IOBA0000551 | 5.07/- |
| 8. | Bank of Baroda (Including Vijaya Bank and Dena Bank) | 53590100010827 | BARB0SECTOD | 0.46/- |
| 9. | Induslnd Bank | 157007990911 | INDB0000620 | 2,350/- |
| 10. | Indian Bank (including Allahabad Bank) | 7744952635 | idib000s173 | 525/- |
| 11. | State Bank of India | 55106043345 | SBIN0050117 | 10,000/- |
| **Total** | | | | **63,664.17/-** |

**3.** Amount of Rs.1,26,489/- have been withdrawn account of applicant and circulated in above accounts. Therefore, investigation officer has freezed amounts of Rs.63,664.17/- out of Rs.1,26,489/- with accounts in respective banks. Therefore, applicant prayed that may kindly release the amount of Rs.74,220.89/- out of Rs.1,26,489/- on his above mentioned account.

**4.** The Ld. APP has filed say and submitted that, applicant has filed some documents along with his application and the investigation officer has also say with mentioning the fraudulent amount. It clearly shows that said amount is belongs to applicant. Hence, may kindly pass appropriate order. Investigation Officer has filed say and contended that he has been freezed amount of Rs.63,664.17/- out of Rs.1,26,489/- during the investigation. He has no objection to release the de-freezed amount subject to terms and conditions. Therefore, may kindly pass appropriate order.

**5.** Heard learned advocate for the applicant and learned APP for the State. Perused the record, I have carefully gone through the record, more particularly complaint on portal and say of I.O. below Exh.5. Bank Statement of applicant is clearly shows that, Rs.1,26,489/-amount have been withdrawn from account of applicant in four transaction between 30.09.2025 to 06.10.2025. Therefore, investigation officer has freezed amount of Rs.63,664.17/- out of Rs.1,26,489/- during the investigation. Having regard to the amount mentioned in the application, it is prima facie matched with the entry in certified copy of bank statement of applicant bank. It is prima facie transpired that Rs.63,664.17/- is freezed during investigation as per say of I.O. Applicant has also prayed for de-freezing the amount of Rs.74,220.89/-. Considering the prayer of applicant, I.O. has freezed amount of Rs.63,664.17/-. If the said amount is merely kept pending in the said account, it is of no use. The applicant definitely will suffer a heavy loss. In these circumstances, it is just and proper to de-freeze the said amount mentioned, subject to following conditions. In the result, by invoking powers u/s. 503 of BNSS., I pass the following order:-

# ORDER

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| 1. | Application is partly allowed. |
| 2. | The Manager of concerned banks accounts are directed to reverse the aforesaid amounts of Rs.63,664.17/- and credit to applicant bank name Indian Bank, Account No.50492998399, IFSC Code. IDIB000B525, Branch in Badlapur West, which was debited, if having sufficient balance in the respective freezed accounts. |
| 3. | Applicant to execute indemnity bond of Rs.63,664.17/-. |
| 4. | The applicant shall filed undertaking that, if it is proved subsequently that the applicant is not entitled to the above stated amounts, he/she will deposit the amount in the court as and when directed. |
| 5. | The Investigation Officer shall intimate all concerned banks of this order for compliance. |
| 6. | The Investigation Officer shall filed this order and compliance accordingly, along with charge-sheet. |

(Pronounced in open court)

Digitally signed by DEVENDRA VILAS GAIKWAD
Date: 2026.07.29 17:14:11 +0530

**(D. V. Gaikwad)**
Judicial Magistrate First Class
Court No.3, Chikhloli-Ambernath

Chikhloli-Ambernath
Date- 29.07.2026