

ORDER BELOW EX.1

1. Details of application is,

Crma no.	717/2026		
Name	Sharma Manoj Rameshchand		
Age	49		
Mobile No.	7990627553		
Address	Plot no.371, Hindi Society, Bharat nagar, Gandhidham, Kachchh.		
Bank name & Bank A/c. No	HDFC Bank A/c. No....5911		
Defrauded Amount	Rs.12,000/-		
Date of Complaint to Cyber Police on 1930	08/04/2026		
Complaint No by Cyber Police	**** * 7761		
Documents filed in support of application	1) Adhaar card no. **** * 7451 2) Bank details 3) Cyber complaint		
Opinion by Cyber Crime Cell CID Crime Gandhinagar vide OW No, Date and Opinion	1) OW No.1012/2026, Date : 29/04/2026 2) Authority : P I Mr. B V Borisagar, Date : 29/04/2026 3) Opinion - After freezing account none appeared before the police authority to agitate such freezing of account, opined to release such friezed amount to the applicant.		
Details of accounts friezed by Cyber Crime Cell CID Crime Gandhinagar	Sr no	Bank	A/c. No
	1.	Punjab National Bank	7306
	2.	Central Bank of India	1451
	3.	IndusInd Bank	2438
	4.	Punjab National Bank	3456
	Grand Total		Rs.6,463.42

2. Ld. APP has submitted that looking to the nature of application and considering the report of concerned Police Officer, the present application should be rejected.

3. As there is a complaint of victimization of cyber crime by this applicant and the very amount of that crime is found in such friezed account and nobody has appeared to oppose the act of freezing - seizing of accounts and no one is claiming the amount seized by the police officer in the present case and therefore, considering all these facts, it appears that interest of justice would be served, if such friezed accounts' amount be returned to applicant till completion of legal proceedings as interim custody as per the principle laid down by **Honourable Supreme Court of India in case of Sundar Amabalal Desai Vs. State of Gujarat reported in AIR 2003 SC 638** and hence, in the larger interest of justice, the present application is allowed with the following conditions.

CONDITIONS

- a. The applicant namely **Sharma Manoj Rameshchand** is directed to execute bond and surety to the tune of double of amount friezed by the Cyber Crime Police Station/ Gandhidham Police Station, alongwith an undertaking to deposit/return the very amount to/before the authority as and when ordered by the court in future.
- b. On executing such bond and surety, In-charge of concerned Police Station/In-charge of Cyber Crime Police Station East Kachchh Gandhidham, would carry out necessary procedure of De-freezing and transferring of **Rs.6,463.42 (rupees six thousand four hundred sixty three and forty two only)** in the account of applicant namely in **HDFC Bank A/c. No....5911** with a one week prior intimation to the freezing authority i.e., Cyber Crime Cell CID Crime Gujarat State Gandhinagar.
- c. This order be executed within one month from receiving necessary yadi from this court and execution be reported to this court at earliest.
- d. Registry to send necessary yadi to the concerned Police Station/In-charge of the Cyber Crime Police Station East Kachchh Gandhidham, for execution of this order.

Place : Gandhidham

Date : 22/05/2026

(Bhargavsinh Ravsinh Solanki)

Addl. Chief. Judicial Magistrate

Gandhidham-Kachchh.

(GJ 00919)