



Cri.M.A. No. 42/2026.  
Shaikh Raees Vs. State of Maharashtra.

MHAU080004632026.

**ORDER BELOW EXH. 01**

This is an application filed by applicant Shaikh Raees Shaikh Masud under Section 503(1) of the B.N.S.S., 2023 to get the an amount of Rs. 86,480.12/- which is withheld in the account.

2. The applicant is resident of Pimpaldari, Tq. Sillod, Dist. Chhatrapati Sambhajnagar. He lodged report with Cyber Police Station bearing Acknowledgment No.31912250246986 on dated 22/12/2025 as to online fraud.

3. Accordingly, applicant lodged report with Cyber Police Station and he requested Cyber Police to get back his amount. As such, he is told by the police to bring the order of Court. Hence, he constrained to file present application. The applicant is poor person, who is in need of that amount. Hence, it is prayed for granting the application.

4. The say of I.O. and Ld. A.P.P. was called upon. I.O. by filing say given no objection to the application. Ld. A.P.P. by filing say contended that, appropriate order may be passed.

5. The applicant relied upon Cyber complaint, his Aadhar card and Pan card, Bank Passbook and his statement of bank account and

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details of bank account. On perusal of those documents it appears that, on dated 02/11/2025 he transferred an amount of Rs. 20,000/- and 30,000/- and subsequently next day on dtd 03.11.2025 he again transferred an amount of Rs. 49,000/- sum of total amount of Rs.99,000/- through transaction to the suspected mobile No.7999706725.

6. It is evident that, the seized amount is transferred by the accused in the multiple accounts and an amount is withheld by the police in the transferred accounts which is use by the accused. No doubt, applicant is entitled to the amount. Till today, the charge-sheet of the case is not filed in the Court. Hence, the conclusion of the trial of the case which will culminate from the crime in question certainly will take indefinite time. Hence, it is not feasible to withhold the amount for indefinite period. Lying amount in the account of accused as holding amount will decrease the value of said amount and the same will cause loss to the applicant.

Police seized fraud amounts in the following accounts.

Sr. No.	Bank Name	Suspected Acc. No.	Hold Amount.
1	AU Bank IFSC Code- AUBL0002302 Branch- Ganj Basoda	Acc.No-2501230266766141 UTR- 145339226603 Account Name- Arvind Lodhi	5,000.83/-
2	AU Bank IFSC Code- AUBL0002302 Branch- Ganj Basoda	Acc.No-2501230266766141 UTR- 702249068794 Account Name- Arvind Lodhi	5,000.83/-

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3	AU Bank IFSC Code- AUBL0002302 Branch- Ganj Basoda	Acc.No-2501230266766141 UTR- 867940478831 Account Name- Arvind Lodhi	5,000.83/-
4	AU Bank IFSC Code- AUBL0002600 Branch- Sarat Bose Road, Kolkata	Acc.No-2502260087156303 Account Name- Pritmeshwar Traders.	6,120.01/-
5	Union Bank of India IFSC Code- UBIN0568406 Basoda Main	Acc. No.68400212001491 Account Name- Shekhar Pal.	1,288.12/-
6	Union Bank of India IFSC Code- UBIN0573922	Acc.No- 739202010009357 Account Name- IRshad Khan Siraj Khan	10,000.00/-
7	Axis Bank IFSC Code-OUTIB0003635 Branch- Ganj Basoda MP	Acc. No.922010037881438 Account Name- Aakash Sahu	19,837.13/-
8	Axis Bank IFSC Code UTIB0000340 Branch- Sakchi Jamshedpur J.H.	Acc.No.925020022540250 Acc. Name- Hello Brother, Manpreet Singh Sablok	24,99.17/-
9	Panjab National Bank IFSC Code- PUNB0267100 Branch- UHAR	Acc.No.2671001700152347 Account Name- Ijaaid Kha	550.00/-
10	Bank of Maharashtra IFSC Code-mahb0001521 Branch- PERNEM, Goa	Acc.No.60552091107 Acc. Name- Bhil Pankajbhai Babubhai	1,500.00/-
11	Airtel Payment Bank IFSC Code- AIRP0000001	Acc.No.7724969716	4,162.04/-
12	Indian Overseas Bank IFSC Code-ioba0001035	Acc. No. -	3,021.16/-
Total Amount			<b>86,480.12/-</b>

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7. Investigation of the present crime is in progress. However, Section 457 of Cr.P.C. which is corresponding to section 503 of B.N.S.S. is clear regarding seizure of property by the police. The owner of the property can claim possession of the case property. In such circumstances magistrate may order property to be delivered to the owner on such condition if he thinks fit. Considering ratio laid down in "Sundarbhai Ambalal Desai Vs State of Gujarat reported in AIR 2001(SC) 638" it is not desirable to keep the seized amount either in custody of police or lying in the account of accused for long time.

8. Therefore, Court is of the opinion that there is no hurdle in allowing the application, subject to conditions. Therefore, I pass following order. Accordingly, the application is allowed on following conditions.

### ORDER

- 1) Application is allowed.
- 2) The nodal officers of above mentioned column banks are hereby directed to release the amount from their respective bank which is withheld in the above banks and account numbers and the same amount be transferred to the A/c bearing No. 62230959031, IFSC Code – SBIN0020364, State Bank of India, Branch – Ajintha Tq. Sillod Dist. Aurangabad which is in the name of Shaikh Raees Shaikh Masud Shaikh.
- 3) The applicant to give indemnity bond of Rs.1,00,000/- (Rs. One Lakh Rupees only) undertaking thereby to produce that sum before the police or Court if required during the course of trial till disposal of case arising out of Acknowledgment No.

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31912250246986, registered with Cyber Police Station, Ch. Sambhajinagar (Gramin).

- 4) Accordingly, the Investigating Officer is hereby directed to get this order complied.

Date – 07.05.2026.

*A. H. Tattu*  
07/05/20

**(A. H. Tattu)**  
Judicial Magistrate, F.C.,  
Court No.3, Sillod.