


MHBU100002822026 	Cri.M.A. No.: 45/2026 Ranjit V/s. Cyber P. S., Buldhana
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ORDER BELOW EXH. NO. 1

1) The present application is filed by the applicant under section 497, 503 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter to be referred as the B.N.S.S.) for releasing the amount of Rs.43,69,800/- in his favour.

2) Perused the application and say filed by the Investigating Officer vide Exh. No.5 stating that they have no objection, if the amount of Rs.33,02,813/- is released in favour of the applicant. The Learned APP vide Exh.06 submitted that suitable order be passed in the interest of justice.

3) It is submitted by the Learned Counsel for the applicant that he had seen an advertisement over social networking site i.e. facebook stating investing the money in share market in which two mobile numbers were given. Thus, the applicant started chatting on one of the mobile numbers. Later on that other person withwhom the applicant was going chatting, sent a link and accordingly, he was added in the group by name Thakor wealth exchange group. He was regularly receiving investment tips in the said group. Later on one of

the members of the said group sent a link in for the purchase of bitcoin and in that regard he was directed to do registration on the link. After completion of registration of the applicant, his account was opened and in that account members were sharing the details of profits earned after purchasing the bitcoin. Thus, the applicant sent various amounts through UPI, NEFT/RTGS to the tune of Rs. 43,69,800/-. According to the applicant after investing the amount of Rs. 43,69,800/- the profit was shown on his account was Rs.14,64,12,089.4/-. Thereafter the applicant tried to withdraw / transfer the said profit amount, but the said amount could not be withdrawn / transferred. As such he came to know that he had been cheated to the tune of Rs.43,69,800/-. Thus, the applicant lodged online complaint with Cyber Cell Police Station Buldhana.

4) The Cyber Police Station, Buldhana has filed reply vide Exh.05 stating that the amount of Rs.33,02,813/- was put on hold and lien marked. However, the statement of fraudulent amount shows that amount of Rs. 2,98,846.55/- is lien amount. The Cyber Police Cell Buldhana has not filed anything on record to show that amount of Rs.33,02,813/- was put on hold and lien marked except as stated in their say. The applicant has carried out amendment in his application and he is claiming only Rs. 33,02,813/-. As nothing has been brought on record either by the applicant himself or by cyber cell buldhana that amount of Rs. 33,02,813/- is put on hold and lien marked, question of granting the said amount does not arise. The record only show that amount of Rs. 2,98,846.55/- is

shown to have been put on hold and lien marked. Therefore, amount of Rs. 2,98,846.55/- could be given to the present applicant.

5) The applicant is the main aggrieved person and he is entitled for the interim custody of the amount of Rs.2,98,846.55/- till the decision of the case on merit. It is to be noted that till date no other person except the applicant has claim the custody of the ownership of the amount. Moreover, the nature of the custody is temporary in nature. So far as apprehension expressed by the Learned APP and Investigating Officer in their say, necessary conditions can be imposed on the applicant while releasing the amount of Rs.2,98,846.55/- in his favour. In the result, I am inclined to pass the following order.

ORDER

- 1) Application is partly allowed.
- 2) The amount of Rs.2,98,846.55/- frozed by the Cyber Police Buldhana be released in favour of the applicant on executing bond of Rs.2,98,000/- before the Investigating Officer.
- 3) The applicant shall furnish an undertaking that if he not entitled to have the said amount in future, he would deposit the same with the Court.

- 4) The applicant is directed to deposit the said amount in Court as and when required.

Date:- 04.04.2026

(Parag S. Thakare)
Judicial Magistrate First Class,
Malkapur

CERTIFICATE

I affirm that the contents of this P.D.F. file order is same, word to word, as per the original order.	
Court	J.M.F.C. Court No.1, Malkapur
Date	04.04.2026
Order signed by the presiding officer on	04.04.2026
Order uploaded on	04.04.2026