


MHKO030214952025 	<b><u>Cri.M.A.No. 1544/2025</u></b> <b><u>Order passed below Exh.No.01</u></b> <b><u>Tanisha Uday Mithari Vs. State of maharashtra</u></b> <b><u>thorough Shahupuri Police station, Kolhapur</u></b>
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The present application is filed by applicant under Section 503 of B.N.S.S. for release of her money kept on hold by Banks.

2. It is contended by the applicant that, she is the victim of cyber crime. From 30<sup>th</sup> September, 2025 to 01<sup>st</sup> October 2025 total amount of Rs.19,899/- had withdrawn from the bank account of applicant in Bank of Baroda having account no.37560100010794. Applicant had filed complaint on 03<sup>rd</sup> October, 2025 vide complaint No.31910250183406 and thereafter the complaint is transferred to Shahupuri Police Station and then cyber crime and Shahupuri Police investigated and then the police have frozen the accounts of the accused/fraudster and the following amount withdrawn from the bank account of the applicant deposited in accused/fraudster's account were put on hold as follows :-

Sr. No.	Bank name	Account number	IFSC Code	Amount put on Hold.
1.	State bank of India	39719989793	SBIN0000082	Rs.500/-
2.	HDFC Bank	50100728167956	HDFC0000001	Rs.2,808/-
3.	Punjab National Bank	0578001700109747	PUNB0057800	Rs.1,700/-
4.	State Bank of India	00000044194106199	SBIN0032132	Rs.5,000/-
5.	Indusland Bank	603014023791	INDB0000005	Rs. 7,984/-

3. It is further contended that, the above mentioned amounts are on hold as per Section 106 of BNSS which is still lying in the bank

and has not been returned to the applicant. Therefore, they requested to direct the police station and bank managers to transfer/refund the hold amount to the Bank of Baroda having account no.37560100010794 of applicant in the interest of justice.

4. Perused the application and documents in support of the same. Ld.APP filed her say at Exh.5 and submitted that, the amount which is kept on hold be returned to applicant by imposing certain terms and conditions.

5. The I.O. has submitted that, the applicant has filed cyber complaint on 03/10/2025 for the amount debited from her account to account of non applicant/fraudster which is kept on hold. I.O. further submitted that, no any other person can claim for the seized amount of applicant. Hence, the amount which is kept on hold be returned to applicant as per the directions given in the Judgment no.No. 171001 No. HHC/VIG./Misc. Instructions/93-V-8753 dated 26.03.2024, and also imposing certain terms and conditions.

6. The applicant filed xerox copy of her Adhar-card at Exh.3/1, statement of his bank account number 37560100010794 in Bank of Baroda Br. Ruikar Colony, Kolhapur at Exh.3/2 and complaint registered with cyber crime at Exh.3/3.

7. Heard both sides. Perused record. On perusal of complaint it appears that, applicant has reported regarding the withdrawal of amount from her bank account. From the say of I.O. it appears that, nobody has claimed said amount. As the said amounts were debited from the account of the applicant so at this stage is would be appropriate to return the said amounts to applicant by imposing necessary conditions. As per direction given in Judgment No. 171001 No. HHC/VIG./Misc. Instructions/93-V-

8753 dated 26.03.2024 the amount which is kept on hold be returned to applicant. Accordingly, following order is passed :--

<b><u>ORDER</u></b>					
1.	The application is allowed.				
2.	The Branch Manager of following banks are directed to transfer the amount kept on hold in present complaint to the applicant in her account in Bank of Baroda having account no. 37560100010794				
	Sr. No	Bank name	Account number	IFSC Code	Amount put on Hold.
	1.	State bank of India	39719989793	SBIN0000082	Rs.500/-
	2.	HDFC Bank	50100728167956	HDFC0000001	Rs.2,808/-
	3.	Punjab National Bank	0578001700109747	PUNB0057800	Rs.1,700/-
	4.	State Bank of India	00000044194106199	SBIN0032132	Rs.5,000/-
	5.	Indusland Bank	603014023791	INDB0000005	Rs. 7,984/-
3.	The applicant shall execute indemnity bond of Rs.20,000/- (Rupees Twenty Thousand Only) before the Investigating Officer.				
4.	The applicant to deposit back the above amounts in court if any dispute in respect of said amount raise in future.				
5.	I.O. is directed to submit the supertnama bond in the court.				
6.	Intimate the concerned police station accordingly.				

(Dictated and pronounced in open Court.)

Kolhapur.  
Date:10/03/2026.

(Smt. Pankaj B. Rajput)  
Judicial Magistrate First Class,  
Court No.11, Kolhapur.