

MHKO050030252026 	<u>Cri.M.A.No.180/2026.</u> <u>Order passed below Exh.No.1</u> <u>Vinod Arvind Palaskar</u> <u>V/s.</u> <u>State of Maharashtra.</u>
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The present application is moved under section 503 of the Bhartiya Nagarik Suraksha Sanhita (In short B.N.S.S.) to transfer the freezed amount of Rs.66,026.16/- of the applicant which is in the suspects account.

2. It is contention of the applicant that he is the aggrieved person in Cyber Crime incident wherein, on 14/05/2026 amount of Rs.51,880/- has been transferred by him from his saving account bearing No.50100793123489, in HDFC Bank, branch Jaysingpur and amount of Rs.30,000/- and Rs.50,011/- total amount of Rs.80,011/- had been transferred by him from his saving account bearing No.40535565613 in State Bank of India, branch Hadgaon, total amounting to Rs.1,31,891/- to saving bank account of unknown person namely Vikas Kashyap under cyber online fraud. The applicant has filed online complaint with acknowledgment No.21905260065340, after transfer of the amount from applicant's account due to commission of said cyber fraud. After his online complaint the amount of Rs.66,026.16/- was kept on hold by concerned banks wherein, the suspect of said cyber fraud holds saving accounts. Therefore, he prayed for directing the concerned banks to transfer said freezed amount of Rs.66,026.16/- to the saving account of the applicant.

3. The applicant has filed copy of complaint details acknowledgment No.21905260065340 at Exh.3/1, copy of statement of State Bank of India of the applicant at Exh.3/2, copy of statement of

HDFC Bank of the applicant at Exh.3/3, copy of UID of the applicant at Exh.3/4 and letter bearing O.W.No.4506/2026 of Shahapur Police Station, Kolhapur to Branch Head of concern banks at Exh.5.

4. Perused the application and documents in support of the same. I.O. has filed his say at **Exh.4** and contended that there is no objection to return freezed amount of Rs.66,026.16/- to the applicant on certain terms and conditions. Ld.APP has filed her say overleaf of the **Exh.4** and stated that necessary order may be passed.

5. The online complaint dtd.15/05/2026, filed by the applicant along with **Exh.3**, shows that the online fraud was committed on the applicant, for which the online complaint came to be registered. Further, the copy of complaint dtd.15/05/2026, by the applicant shows that he had informed the Cyber Crime Department regarding said fraud. Thereafter, as per letter issued by Police Inspector, Shahapur Police station to the Branch Head of concerned Banks about said online fraud an amount of Rs.66,026.16/- was freezed in the suspect bank account. In view of the directions issued by Hon'ble Himachal Pradesh High Court wherein, it is directed by Hon'ble Court through its letter bearing No. HHC/VIG/ MISC/ Instructions/93-V-8753,dtd.23/26/03/2024. Wherein, Hon'ble High Court has stated that in case of cases registered by National Cyber Crime Portal and wherein, money is freezed out or put on hold in those cases the Trial Court need not insist for registration of FIR as it may result into delay.

6. Apart from the applicant no one has claimed said freezed amount. Though, there is no FIR but, as per the directions given by Hon'ble High Court referred above the trial Court is not expected to insist for FIR. Therefore, it is seen that there is sufficient evidence brought on record by the applicant that his Rs.66,026.16/- are on hold, it belongs to

him. Considering, the say on record there is no hurdle to transfer said amount in the account of the applicant in State Bank of India, branch Hadgaon. Hence, following order:-

	<u>ORDER</u>
1.	The application is allowed.
2.	The concerned police station is directed to communicate this order to concerned banks to transfer the freezed amount of Rs.66,026.16/- to the bank account of the applicant bearing No.40535565613 in State Bank of India, branch Hadgaon as per online acknowledgment No.21905260065340.
3.	Application is disposed off.

Ichalkaranji.
Date: 18/07/2026.

(R. D. Kharate)
Judicial Magistrate First Class,
Court No.1, Ichalkaranji.