MHKO050001732026

Cri.M.A.No.13/2026.
Order passed below Exh.No.1
Gopal Janaba Sawant
V/s.
State of Maharashtra.

The present application is moved by the applicant under section 497 and 503 of the B.N.S.S. to release his freezed amount of Rs.1,09,771.36/- which is in the suspects following accounts:-

Sr. No.	Date	Bank Name	Transaction ID	Account No.	Amount Rs.
1.	02-12-25	Jammu and Kashmir Bank	533113912756	0107040100018821	2571-00
2.	02-12-25	Indian Bank	533113912853	7789240161	3457-40
3.	02-12-25	Bank of Baroda	533113912612	68240100006318	1228-66
4.	27-11-25	Indian Overseas Bank	533113912856	272001000010355	587-39
5.	02-12-25	Axis Bank	533113912848	920010043567254	3729-19
6.	02-12-25	Axis Bank	533113912858	921010050402028	2573-41
7.	02-12-25	Axis Bank	533113912655	914010022154357	2000-00
8.	29-11-25	Kotak Mahindra Bank	374175573477	8150968553	700-00
9.	28-11-25	Yes Bank	446789364343	0105779000 00049	1000-00
10.	02-12-25	Union Bank of India	282864416534	591502010014854	771-34
11.	27-11-25	Indian Overseas Bank	533113404222	245902000000580	2000-00
12.	27-11-25	HDFC Bank	694586272255	50100622086367	16500-00
13.	27-11-25	Yes Bank	533170236517	016799300001521	2000-00
14.	27-11-25	Indian Overseas Bank	533113424249	245902000000580	992-15
15.	02-12-25	Fino Payments Bank	572268656402	3218000255	564-14
16.	02-12-25	Fino Payments Bank	694637326832	3218000111	500-00
17.	02-12-25	Fino Payments Bank	392948388283	3218000113	2000-00
18.	02-12-25	Telangana Grameena Bank	974448690898	79087247497	0-01
19.	27-11-25	State Bank of India	533160860046	65041288532	5700-00
20.	02-12-25	UCO Bank	694589572306	06840110131794	834-24
21.	27-11-25	Indian Overseas Bank	694589101214	197802000000635	999-61
22.	27-11-25	State Bank of India	714508994760	44607645116	500-00
23.	02-12-25	Fino Payments Bank	986334997205	3218000255	215-00
24.	02-12-25	Indian Post Payments	102061953045	021210148524	999-14

		Bank			
25.	29-11-25	State Bank of India	230957443521	34798546924	700-00
26.	28-11-25	State Bank of India	197968363732	31368022743	903-28
27.	02-12-25	Federal Bank	952042506751	17560100043136	101-09
28.	02-12-25	Indian Bank	533354606779	6531721390	3727-44
29.	02-12-25	Airtel Payments Bank	050637855300	8341675978	14-23
30.	02-12-25	HDFC Bank	102075608596	50200070125410	1372-56
31.	02-12-25	Punjab National Bank	482430904278	4290000100055381	1046-84
32.	02-12-25	Indian Bank	167130512436	8131206936	1759-00
33.	02-12-25	Indian Bank	393115782766	50307214505	23-00
34.	02-12-25	Fino Payments Bank	392940572693	3218000113	470-68
35.	02-12-25	Fino Payments Bank	3931404051	3213001016	1000-00
36.	02-12-25	Bank of Maharashtra	533113420918	60549397925	2000-00
37.	02-12-25	Bank of India.	AXNGG 33242279775	075820110000082	400-00
38.	02-12-25	Union Bank of India	533103432783	274511010000025	18000-00
39.	02-12-25	Union Bank of India	AXNPN 33241750716	112311100003095	530-00
40.	03-12-25	Ratnakar Bank Ltd.	IDFB 533153802618	309030023109	2231-49
41.	03-12-25	Bank of Baroda	528011254228	53928100000649	997-44
42.	03-12-25	Bank of Baroda	528011254225	06310100019677	1049-48
43.	03-12-25	Punjab National Bank	090650203571	1072000109102571	1000-00
44.	03-12-25	Bank of Baroda	3850666737756	31058100001880	486-64
45.	03-12-25	AIRPAY	533109710343	738518149820	4000-00
46.	03-12-25	Kotak Mahindra Bank	PFSS11272 20622612V CORSMXO	PCM511271 829501612 WRE853Q	2000-00
47.	03-12-25	Catholic Syrian Bank Ltd.	533128043529	1229010000242	1324-51
48.	18-12-25	Fino Payments Bank	573438273831	3218000111	2000-00
49.	19-12-25	Punjab National Bank	JIOPN2528 1000187	1729102100001880	1500-00
50.	19-12-25	Punjab National Bank	JIOPN2528 0000670	1729102100001941	1111-00
51.	19-12-25	Punjab National Bank	JIOPN2533 1001219	1729102100001899	3600-00

52.	20-12-25	Axis Bank	RATNR520 25120100739562	924020072725310	3000-00
53.	21-12-25	Jio Payments Bank Ltd.	785283401716	002070861000002	1000-00

2. It is contention of the applicant that he is the aggrieved person in Cyber Crime incident wherein, the applicant had lost Rs.05,13,661/- from 08/10/2025 to 27/11/2025. The transaction details are as under:-

Sr. No.	Name of the Bank	Transaction/Cheque No. and Date	Amount Rs.	Recipient
1.	IDBI Bank, Br. Ichalkaranji	UPI No.564604441163 Dt.07-10-2025	10,000/-	V.M.Processors
2.	HDFC Bank, Br. Ichalkaranji	RTGS DR-UCBA0002955 Ch.No 000006 Dt.28-10-2025	3,00,000/-	A Star Brick Udyog
3.	HDFC Bank, Br. Ichalkaranji	RTGS DR-IDFB0040401 Ch.No 000007 Dt.27-11-2025	2,03,661/-	Vian Power Technology Pvt.Ltd.
	Total Rs.		5,13,661/-	

Out of said amount the amount of Rs.1,09,771.36/- is marked as lien under Cyber online fraud. The applicant has filed online complaint with acknowledgment No.31912250231006 after transfer of the amount from his account due to commission of said Cyber fraud. After his online complaint said amount of Rs.1,09,771.36/- was freezed by concerned banks wherein, the suspect of said cyber fraud holds saving account. Therefore, he prayed for directing the investigating officer to transfer said freezed amount of Rs.1,09,771.36/-to the saving account of the applicant.

3. The applicant has filed the copy of complaint details acknowledgement No.31912250231006 at Exh.3/1, office copy of complaint to The Superintendent of Police and Shahapur Police Station dtd.04/12/2025 at Exh.3/2, certificate of registration of Securities and

Exchange Board of India dtd.09/05/2025 at Exh.3/3, copy of UID of the applicant at Exh.3/4, copy of pan card of the applicant at Exh.3/5, copy of IDBI Bank account extract of the applicant at Exh.3/6, copy of HDFC Bank account extract of the applicant at Exh.3/7 and letter of Shahapur Police station to the concerned bank branch Head at Exh.7/1.

4. Perused the application and documents in support of the same. I.O. the Ld.APP have filed their say at **Exh.4 and 5** and contended that they have **no objection** to return freezed amount of Rs.1,09,771.36/- to the applicant on certain terms and conditions.

5. The online complaint dated 02/12/2025 filed by the applicant along with Exh.3 shows that the online fraud was committed on the applicant, for that he has filed the online complaint. Further as per letters issued by Police Inspector Shahapur Police station to concern Branch Head of Banks about said online fraud total amount of Rs.1,09,771.36/- is freezed in the suspect's bank account of this applicant. 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. It is seen that on the online complaint of the applicant his amount of Rs.1,09,771.36/- is freezed or kept on hold by Banks and 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.1,09,771.36/- 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 HDFC Bank, Branch Ichalkaranji. Hence, following order:-

	ORDER
1.	The application is allowed.
2.	The concerned police station is directed to communicate this order to concerned Banks to transfer the freezed total amount of Rs.1,09,771.36/- to the bank account of the applicant bearing No.50100460047314 in HDFC Bank, Branch Ichalkaranji, as per online acknowledgment No.31912250231006.
3.	Application is disposed off.

REENA DEEPAK KHARATE
Digitally signed by REENA DEEPAK KHARATE
Date: 2026.07.21 17:03:55 +0530

Ichalkaranji.
Date:21/07/2026.

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