

ORDER BELOW EXH.1 IN RETURN OF PROPERTY APPLICATION NO.
519/MISC/2026
(Cyber crime portal complaint No.31902260030000)

This application is filed for interim custody of amount of Rs.16,201/-.

2. Perused the application and say of Investigating Officer and Ld. APP. Except the respondent no.6 i.e. Bank of Baroda, other respondent banks have not filed their say. The I.O. has no objection to return the claimed amount to applicant. The Ld. APP has submitted to pass the order as deemed fit by the Court.

3. The applicant has produced on record the copy of FIR, bank transaction, copy of Aadhar Card and supporting affidavit.

4. In the case of **Sunderbhai Ambalal Desai Versus State of Gujarat (AIR 2003 SC-628)**, the Honourable Apex Court has observed that, Powers under section 451 of the Code of Criminal Procedure should be exercised expeditiously and judiciously, the owner of the article should not suffer because of it remaining unused or by its misappropriation. Thus, in view of the observation of the Honourable Apex Court it is clear that, property seized in the crime should not be kept in condition which may affect its value and utility.

5. The applicant has been cheated by online fraud and therefore, he filed complaint on Cyber Crime Portal. During investigation of the said crime, it reveals that, the amount of Rs.16,201/- is lien marked on freezing different accounts maintained by the banks as submitted by Investigating Officer in his say. The police has freezed said accounts.

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6. No other person than the applicant has claimed that amount till today. There is sufficient material available on record to show that said amount is the proceeds of the alleged crime. Hence, it would be just and proper to hand over the interim custody of amount of Rs.16,201/- to the applicant by imposing certain conditions and obtaining Indemnity Bond from applicant. Hence, I pass following order:-

ORDER

1. The application is allowed.
2. The interim custody of amount of Rs.4,119/- from a/c No.8232170016 maintained with Indian Bank, Rs.4,919/- from a/c no. 8231475258 maintained with Indian Bank, Rs.510/- from a/c no. 6791000100074232 maintained with Punjab National Bank, Rs.1,000/- from a/c no. 38136962871 maintained with State Bank of India, Rs.1,050/- from a/c no.909010044633658 maintained with Axis Bank, Rs.1,023/- from a/c no.52820100009214 maintained with Bank of Baroda, Rs.725/- from a/c no.62426545779 maintained with State Bank of India, Rs.1,000/- from a/c no.62426545779 maintained with State Bank of India, Rs.999/- from a/c no.0056040100014546 maintained with Jammu & Kashmir Bank and Rs.856/- from a/c no.00000035714776201 maintained with State Bank of India i.e. total amount of Rs.16,201/- freezed by the Police Authority of Byculla Police Station, Mumbai in online cyber complaint no. 31902260030000 be handed over to the applicant on executing Indemnity Bond of Rs.16,500/- (Rupees Sixteen Thousand Five Hundred only) on a Non-Judicial Stamp Paper of value of

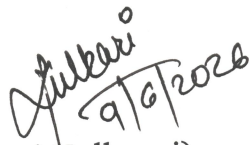
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Rs.500/-, before the Judicial Clerk of the Court with condition to produce the same as and when required by the Court during the trial.

3. Issue letter to Police Inspector of Byculla Police Station, Mumbai and Branch Managers of Indian Bank, Punjab National Bank, State Bank of India, Axis Bank, Bank of Baroda, Jammu & Kashmir Bank accordingly.

Date:- 09/06/2026


(Aarti Kulkarni)
Judicial Magistrate First Class,
25th Court, Mazgaon, Mumbai.