

ORDER BELOW EXH.1

1. Perused application, say of Kalachowki Police Station, Mumbai and Ld. A.P.P. Heard Ld. Advocate for applicant and Ld. A.P.P. At the instance of applicant, the offence was registered with respondent Police Station at C.R. No.43/2022. Applicant has filed this application to de-freeze the accounts of beneficiaries and credit the amount Rs.1,33,792/- to his account.

2. It is alleged that the accused has deceived the informant to deposit Rs.4,30,000/-. Said amount is debited from his account and credited to other account. The amount was debited from the account of applicant. The applicant realized the fraud. Hence, at the instance of applicant, the offence was registered with respondent Police Station. Immediately the amounts credited in the beneficiary accounts from the account of applicant is frozen.

3. Till date the accused is not traced out. The concerned police has no objection to transfer the freeze amount to the account of applicant. Ld. A.P.P. has also given no objection to allow present application. Except applicant, no one has claimed the freeze amount. The applicant is in need of money. If said amount is not released, it will remain unused and the applicant and his family will suffer irreparable loss. Said amount can be released in favour of applicant on a condition to execute the Indemnity Bond by him to deposit the said amount as and when required by this court. Hence, the applicant is entitled to get the above freeze amount. Accordingly, following order -

ORDER

- a. The application is allowed.
- b. The concerned Nodal Officers of the following banks/branches are directed to de-freeze and transfer the above amount in the account of

applicant Dipak Ashok Panchal, bearing Account No.911010033120719, maintained with Axis Bank, immediately.

BANK NAME	ACCOUNT NO.	Amount to be transferred
Union Bank of India	053822010000417	93,792
Bank of Baroda	29280100035477	40,000

c. The concerned Investigating Officer shall inform order to the concerned banks and request them to transfer the amounts lying in those accounts, to an account maintained by the applicant mentioned in the application, after executing indemnity bond of Rs.1,40,000/- (Rupees One Lakh and Forty Thousand only) before Respondent No.1 by the applicant.

Date : 30.07.2026

(A. M. Tamne)
Judicial Magistrate (First Class),
15th Court, Mazgaon, Mumbai