

**IN THE COURT OF CHIEF JUDICIAL MAGISTRATE, NAGPUR.**

**R.C.C. No. : 312/2022**  
**State vs. Vinaykumar and oth**

**ORDER BELOW EXHIBIT NO.24.**  
( Passed on 15<sup>th</sup> November, 2022 )

1] The applicant has filed present application for defreezing the bank account of the accused No.1 and 4.

2] The contention of the applicants that accused No.1 and 4 are the husband and wife. They submitted that accused No.1 has been granted anticipatory bail by the learned Sessions Court Nagpur vide dated 01.07.2022 and the accused no.4 has been granted bail by this Court on 01.08.2022. During the investigation, the investigation officers have freeze the bank accounts of the applicants and it is still in the same condition the applicants till date can not use their accounts, further there are balance of cash lying with the bank accounts. They further submitted that the accused No.1 has already deposited the amount with the investigation officer which is ordered by Hon'ble Sessions Court. Therefore, the applicants prayed that the bank account No. 23530110035245 maintained by Uco Bank, Branch at Balisonbarsa, Baxur, IFSC Code No.UCBA0002353 of accused No.1 and bank account No. 7239000100086530 maintained by Punjab National Bank, Branch at Itedi, Baxur, Bihar, IFSC Code No. PUNB0723900 of accused No.4 be defreeze.

3] Learned A.P.P. has filed her say on the application itself. She opposed to defreeze the account of accused No.1 and 4 as both accused involved u/s 420,34 of IPC and cheated the innocent person and grab the money through their bank account. If the account defreeze there is strong possibility of using it her some purpose again. Hence, sue prayed to reject the application.

4] Perused the record and proceedings. the brief facts of the case is that the complainant was lured to give hand loan and also money for performing puja to accused No.1 to 4. He had transferred total amount of Rs.4,19,076.70 in the account of accused No.1 to 4 time to time. When the complainant realized that he has been cheated by the accused persons, the complaint lodged complaint against accused persons in Sadar police Station. Sadar police station registered the crime vide crime No.510/2019. Thereafter, accused No.1 had filed anticipatory bail application before the Hon'ble Additional District & Session Judge vide Cri.Bail Appl.No.1067/2022 The counsel for accused No.1 had given undertaking that accused No.1 will deposit the amount of Rs.70,029/- with the police station. Hon'ble Sessions Court had granted the anticipatory bail to the accused No.1 subject to the condition to deposit amount of Rs.70,029/- with police station. Thereafter accused No.1 had deposited the amount of Rs.70,029/- with the police station on 5.7.2022.

5] It is a fact that the chargesheet has been filed. the investigation is completed. It is also a fact that the offence is punishable under Sections 420 r/w 34 of I.P.C. The offences are serious in nature.

..3..

Pertinently, alleged offences are triable by this Court. There is no possibility of conclusion of the trial in the nearest future. Hon'ble Sessions Court had granted the anticipatory bail to the accused No.1 subject to the condition to deposit amount of Rs.70,029/- with police station. Thereafter accused No.1 had deposited the amount of Rs.70,029/- with the police station on 5.7.2022. Considering the nature of offence and in the interest of justice, application is allowed.

**ORDER**

1. Application is allowed.
2. The police Station Sadar is directed to defreeze the bank account No. 23530110035245 maintained by UCO Bank, Branch at Balisonbarsa, Baxur, IFSC Code No.UCBA0002353 of accused No.1 VinayKumar Vinod Singh and bank account No. 7239000100086530 maintained by Punjab National Bank, Branch at Itedi, Baxur, Bihar, IFSC Code No. PUNB0723900 of accused No.4 Neha VinayKumar Singh.

Nagpur  
dt. 15.11.2022

(S.B.Pawar)  
Chief Judicial Magistrate,  
Nagpur.