

	Cri.M.A.No.137/2026
	Nawal Vs. State Of Maharastra
	CNR: MHPU200010242026

ORDER BELOW EXH.1

(Passed on 29/07/2026)

The present application has been filed under Section 503 of the *Bharatiya Nagarik Suraksha Sanhita, 2023* (for short, "the BNSS") seeking defreezing and release of the amount withheld by the Cyber Police in the applicant's bank account.

2. It is the contention of the applicant that he became a victim of an online financial fraud, pursuant to which an amount of Rs.92,202/- was fraudulently withdrawn from his bank account maintained with Panjab National Bank, Branch Reni, Alwar. Immediately upon discovering the fraudulent transaction, the applicant lodged a complaint with the National Cyber Crime Reporting Portal, which came to be registered vide Acknowledgment No. 31902260045416.

3. It is further contended that during the course of investigation, the Cyber Crime authorities traced the defrauded amount and, upon inquiry by Shirur Police Station, directed that the amount of Rs.37,959.47/- be withheld/frozen. The applicant was duly informed through a message that the said amount had been secured by the investigating agency. According to the applicant, the withheld amount belongs to him and is urgently required for meeting his day-to-day expenses and other essential needs. It is, therefore, prayed that the amount withheld by the Cyber Police be defrozen and released by transferring the same to the applicant's bank account, subject to such

terms and conditions as this Court may deem fit. Hence, the present application.

4. The Ld.A.P.P. opposed the application by filing a written say. It is contended that the applicant has not produced the relevant bank account statements to substantiate his claim. It is further submitted that the withheld amount constitutes material evidence in the course of investigation into the cyber crime and, therefore, the application deserves to be rejected.

5. The Investigating Officer has also filed his say. It is stated therein that an amount of Rs.37,959.47/-, representing the proceeds of the alleged online fraud, has been withheld in various bank accounts during the course of investigation. However, the Investigating Officer has specifically stated that he has no objection if the said amount is released and transferred to the applicant, subject to appropriate terms and conditions as may be imposed by this Court.

6. I have carefully considered the rival submissions and perused the material placed on record. It appears that the applicant lodged a complaint on the National Cyber Crime Reporting Portal, which was registered vide Acknowledgment No. 31902260045416, alleging that an amount of Rs.92,202/- had been fraudulently withdrawn from his bank account. Prima facie, the applicant is the victim of the alleged online financial fraud.

7. The record further reveals that, during the course of investigation, an amount Rs. 37,959.47/- was traced and withheld in various bank accounts. The applicant has sought release of the

withheld amount by transferring the same to his bank account. Significantly, no third person has approached this Court claiming any right, title or interest over the said amount. The principal objection raised by the learned Assistant Public Prosecutor is that the applicant has not produced the statements or passbooks of the concerned bank accounts. In this regard, it is pertinent to note that the Investigating Officer, in his written say, has not disputed the applicant's claim. On the contrary, he has specifically stated that Panjab Natioal Bank, Branch Reni belong to the applicant. Once the ownership of the said accounts is admitted by the Investigating Officer, mere non-production of the passbooks or account statements cannot be treated as fatal to the applicant's claim.

8. Moreover, the Investigating Officer has expressly conveyed that he has no objection to the release of the withheld amount in favour of the applicant, subject to appropriate safeguards. It is significant to note that in the present application the applicant has sought defreezing of an amount Rs.35,575/- only. However, by filing pursis and extract (Exh.7) the applicant claimed that inadvertantly an amount Rs.35,575/- is shown in fact said amount is Rs.37,959.47/-. In these circumstances, and having regard to the fact, pursis and extract (Exh.7) that the applicant is the victim of the alleged fraud, that no rival claimant has come forward, and that the Investigating Officer has raised no objection to the release of the amount, this Court is of the considered opinion that the withheld amount of Rs.37,959.47/- deserves to be released in favour of the applicant on appropriate terms and conditions to safeguard the interest of the investigation. Hence, the following order:

ORDER

1. The application is allowed.
2. The seized amount of Rs.37,959.47/- is withhold in following bank accounts-

Sr. No.	Name of the bank	Account No. Of the bank in which the said amount freezed	Freezed amount
1.	Kotak Mahindra Bank	6745837826	Rs.6,500/-
2.	Bank of India	557310110006082	Rs.95.74/-
3.	Bank of India	516120110000278	Rs.132.56/-
4.	Bank of Baroda	56158100008914	Rs. 284/-
5.	Indian Overseas Bank	300501000006347	Rs.119.88/-
6.	State Bank of India	44823211975	Rs.59/-
7.	HDFC Bank	50100641393491	Rs.9,880.12/-
8.	Union Bank of India	178810100151417	Rs.10.54/-
9.	HDFC Bank	50100845926231	Rs.4930.46/-
10.	HDFC Bank	57500000403944	Rs.4000/-
11.	HDFC Bank	57500000403944	Rs.1021.18/-
12.	HDFC Bank	50100177765038	Rs.1425.99/-
13.	Panjab National Bank	05152121004308	Rs.1123.35/-
14.	State Bank of India	61159926989	Rs. 876.65/-
15.	State Bank of India	61304985568	Rs.1000/-
16.	State Bank of India	44523885458	Rs.516/-
17.	Citi Bank	521752076	Rs. 600/-
18.	State Bank of India	61321529264	Rs. 1000/-
19.	State Bank of India	61321529264	Rs. 2000/-
20.	State Bank of India	61321529264	Rs.550/-
21.	Central Bank of India	papuatal8186@okicici	Rs.50/-
22.	Union Bank of India	520101206914640	Rs. 584/-
23.	Canara Bank	1907101001925	Rs.1200/-
Total			Rs.37,959.47/-

be handed over to the applicant namely **Nawal Kishor Saini** in his bank account No.0947001500011143 of Panjab National Bank, Branch Reni, Alwar after verifying his identity on the following conditions -

- i. The applicant shall furnish the bond of Rs.40,000/- (Rupees Fourty Thousand Only).
- ii. The applicant shall under take that he shall reimburse or refund the amount if in future he would found not entitled for said amount.
- iii. The applicant shall produced the said amount as when required in the Court.
- iv. The applicant shall inform to the Court regarding receipt of said amount.
- v. Informed to the concerned Police Station.

Date : 29/07/2026

(**A. G. Tamboli**)
Judicial Magistrate First Class,
Ghodnadi (Shirur) Dist.Pune

CERTIFICATE

I affirm that the contents of this P. D. F. file Order are same word for word as per original Order.

Name of the Court	:-	Shri. A. G. Tamboli Judicial Magistrate First Class, <u>G</u> hodnadi (Shirur) Dist. Pune
Name of the Steno	:-	Snehal S. Gade/ Kasbe
Date of Decision	:-	29/07/2026
Order signed by presiding officer	:-	29/07/2026
Order uploaded on	:-	29/07/2026