

CRI. M. A. No.:- 141/2026

Nitesh Vinodkumar Khandelwal

Vs.

Talegaon Dabhade Police Cyber Cell.

ORDER PASSED BELOW EXH.1

The present application is filed by the applicant **Nitesh Vinodkumar Khandelwal** for return of **seized / hold amount of Rs.15,10,500.02/-** by Cyber Crime complaint No.**31912250244396**.

2] Ld. A.PP. and I.O. filed their respective say. It is contended by the Ld. APP that, it seems from the record and complaint that, during investigation police have freezed total amount of **Rs.15,19,602.36/-**. Therefore, necessary order be passed on certain conditions and directed to investigation officer in this regard.

3] Perusal of reply of Ld. APP and I.O. along with seizure panchanama, it is clear that, an amount of **Rs.15,19,602.36/-** is freezed. From bank statement produced by applicant it is clear that the aforesaid amount was transferred from account of applicant and then same was freezed by I.O. from account of accused. As on today, there is no any claimant and the concerned person from whose account are freezed have not claimed said amount, therefore in view of Judgment of Hon'ble Supreme Court of India in case of ***Sunderbhai Ambalal Desai Vs. State of Gujrat 2002 Supp(3) SCR 39***, the applicant is entitled for interim custody of said amount. Considering the above all discussion, I do not found the reason at this stage to detained said amount in said account till end of the trial.

Hence, the applicant is granted with following conditions:-

ORDER

- 1) The application is allowed.
- 2) The concerned Investigation Officer to necessary steps for releasing the an amount of **Rs.15,19,602.36/-** in account of applicant bearing No.**0047595378** maintain with Kotak Bank, Baner Pashan Pune Branch, **IFSC Code No. KKBK0001810** from the account which is freezed in Cyber complaint No.**31912250244396** registered at Cyber Portal by following the due procedure on executing indemnity bond of **Rs.30,40,000/-** by applicant that :-
 - a) He shall produce account statements as and when required.
 - b) He shall indemnify aforesaid amount if court orders.

Date:09/03/2026

I/c.

Judicial Magistrate First Class
Vadgaon Maval, Pune.

CERTIFICATE

“I affirm that the contents of this P.D.F. file Judgment/order are same word to word as per original Judgment/order”.

Name of the Stenographer	Sagar V. Ingale
Name of the Court	I/c. 5 th Jt. C.J.J.D. & J.M.F.C., Vadgaon Maval, Pune.
Date of Order & Judgment	09/03/2026
Order/Judgment Signed by the P.O. On	09/03/2026
Judgment/Order uploaded on	09/03/2026