

MHRG140018942024



**Order below Exhibit 01 In O.M.A. No. 91/2024**

**Pankaj Mahendra Thakkar                      --- Applicant**

**V/s.**

**State through    --- Opponent**  
**Uran Police Station**

1. This is an application filed by the applicant for defreezing the bank account which holds its money as under:

No	Bank Name	Account No	IFSC Code	Date	Amount
1	State Bank of India	200349012057	SBIN0011787	29.07.2024	10,000/-
2	Bank of Baroda	5860200002272	BARB0000002	29.07.2024	1,800/-
3	Bank of Baroda	5860200002272	BARB0000002	29.07.2024	1,500/-
4	Bank of Baroda	5860200002272	BARB0000002	29.07.2024	1,690/-
5	Bank of Baroda	5860200002272	BARB0000002	29.07.2024	1,700/-
6	Bank of Baroda	5860200002272	BARB0000002	29.07.2024	1,490/-
7	AU Bank	903320110000771		29.07.2024	11,820/-
8	HDFC Bank	22412000000020	HDFC0002241	30.07.2024	1,273/-
9	Kotak Mahindra Bank	1848575712	KKBK0002060	31.07.2024	3,23,994/-
10	State Bank of	39659334811	SBIN000724	01.08.2024	10,000/-

	India				
11	ICICI Bank	439005000516	ICICI0004390	03.08.2024	17,000/-
12	State Bank India	32841692999	SBIN0001383	03.08.2024	2,000/-
13	CENTRAL Bank of India	3845995470	CBIN280512	05.08.2024	3,550/-
14	HDFC Bank	03301610006912	HDFC0000330	05.08.2024	50,172/-
				Total	4,37,989/-

It is the case of the Applicant that Cyber crime has occurred and above amounts have been transferred.

2. The account in which amount has been transferred is frozen by Cyber crime No. 31907240107385 in the above accounts.
3. Learned APP for the State has submitted that muddemal be returned on certain terms and conditions. The Uran police Station, has submitted that they do not have any objection. The say of the banks were called. Central Bank of India has submitted that amount of Rs. 3550/- and HDFC Bank has submitted that they have Rs. 1,273/- and Rs. 50,172/- that is frozen. The rest of the Banks have submitted that they do not have money in it.
4. Heard Ld. Advocate for applicant and Ld. APP for the State.
5. Perused the list of documents filed by the advocate for the applicant which includes 1) copy of Cyber crime FIR, 2) copy of Acknowledgment, 3) Copy of Adhar Card, 4) Copy of Pan Card, 5) Copy of Bank Pass book Print and affidavit that the frozen amount belongs to him.
6. The applicant stated that money is lying unattended at the Bank/s.

Therefore, applicant is suffering huge losses due to this.

7. It appears that Cyber Crime Cell has frozen the bank accounts in which amount has been transferred through Cyber Crime. The say of the banks were called. Central Bank of India has submitted that amount of Rs. 3550/- and HDFC Bank has submitted that they have Rs. 1,273/- and Rs. 50,172/- that is frozen. The rest of the Banks have submitted that they do not have money in it.
8. No purpose would be served in keeping the money lying in the Bank. No other person has claimed the amount.
9. Considering the nature of the frozen bank accounts and the guidelines issued by the Hon'ble Supreme Court in the case of *Sundarlal Ambalal Desai V/S State of Gujrat AIR 2003 SC 638*, the custody of the said muddemal can be granted to the applicant on the certain terms and conditions. Hence, I proceed to pass the following Order :

### ORDER

1. The application is partly allowed.
2. Office of the Uran police station/Cyber Crime Cell is directed to defreeze the amount.

No	Bank Name	Account No	IFSC Code	Date	Amount
1	HDFC Bank	22412000000020	HDFC0002241	30.07.2024	1,273/-
2	Central Bank of India	3845995470	CBIN280512	05.08.2024	3,550/-
3	HDFC Bank	03301610006912	HDFC0000330	05.08.2024	50,172/-
				Total	54,995/-

and Uran police station/Cyber Crime Cell is further directed that amount of Rs. 3,550/- in Central Bank of India and amount of Rs. 1,273/- and Rs. 50,172/- in HDFC Bank be returned to applicant.

3. The applicant to maintain and preserve the bank accounts and amount therein in all respects.
4. I.O. is directed to prepare detail panchanama of the said accounts and they must also take photographs. I.O. shall annex bond and panchanama along with charge sheet.
5. If the applicant will commit breach of any of the conditions, the indemnity bond shall be forfeited and amount will be credited to Government.
6. The present order is interim, pendete-lite and subject to the final order of the case.
7. The copy of this order be kept with charge sheet.

Place : Uran  
Date :20.05.2026

Sd/-  
(Ms. G.K.R. Tandon)  
Jt. Judicial Magistrate F.C.  
Court No.2, Uran