


<p>MHRT030000522026</p> 	<p><u>Cri.M.A.9/2026</u></p> <p>Chaitali Sunil Bhagwat</p> <p>V/S</p> <p>State of Maharashtra Through Police Inspector, Ratnagiri City Police Station</p>
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ORDER PASSED BELOW EXH.1

(Date: 13/03/2026)

The present application is filed for the return of the amount held by the police.

2. It is submitted by the applicant that, she has Saving accounts bearing number 146310110004326 in Bank of India, Branch- Maruti Mandir. On 18/06/2025 applicant was trying to book ticket through Shernath Bapu of Tirloknath Ashram Girnar link. The applicant was trying to book one hotel. At that time she obtained details of bed rooms and scanner. Therefore, the applicant has transferred amount of Rs.2000/- and Rs.2420/-. The name mentioned on scanner is 'Shri. Balaji Computer'. Accordingly applicant has paid total amount of Rs.97604/- The applicant has mentioned details of transaction in the application. The applicant immediately informed about the same to the Ratnagiri Cyber police by complaint bearing number 31906250100758. Thereafter, out of the total amount the concerned Investigating officer has held amount of Rs.30,775/- and Rs.197.99/-. The said amount is personal property of applicant and she needs the same for his household expenses and needs. Hence, she prays to allow the application.

3. The I.O. by filing his Say at Exh.6 has given no objection to return the amount to the applicant. On the contrary, Ld.APP submitted that, there is no evidence on record to show that the frozen amount is transferred from the account of the applicant. The applicant has not filed documents to show that at the time of committing alleged crime and after the alleged crime how much amount was remained in her bank account. Ld.APP further contended that the say of bank is not filed on record and if the held is removed then there might be chances to commit cyber fraud on the same account. Therefore, she prays to reject the application.

4. Heard Ld. Advocate appearing for the applicant and the Ld. APP.

5. From the Say of the Investigating Officer it appears that he has frozen the said amount and he has no objection to release the amount in favour of applicant. The I.O. submitted that applicant has filed online complaint through online cyber portal bearing no.31906250100758 which shows that applicant has made complaint to Cyber police regarding fraud of the alleged amount. The Say of I.O. at Exh.6 shows that the Cyber police has transferred the said complaint to Ratnagiri City Police Station for further investigation. It further shows that amount of Rs.30,735/- and 197.99 have been held as a lien. The applicant was also filed on record copy of UPI transaction details, which shows that the applicant has sent alleged amount to AMS Associates and Shree Balaji Computers. The present application is also supported by an affidavit of the applicant. The material on

record establishes that the amount of Rs.30,735/- and Rs.197.99/- have been held by the police after the complaint of the applicant. The Say of I.O. is already filed on record. The applicant appeared to be victim of Cyber crime therefore prima facie objection raised by Ld.APP is not sustainable. Moreover, there is no strong objection from the respondent side to return the said amount to the applicant. Hence, in such circumstances, I am of the view that the applicant is entitled to receive the amount as prayed, subject to the condition. Hence, I pass the following order: -

ORDER

1. Application is hereby allowed.
2. The amount of Rs.30,735/- and Rs.197.99/- held during the inquiry of the Cyber crime be returned to applicant by removing the hold on the said amount, subject to the following condition: -
 - a. The applicant is ordered to give a written undertaking supported by an Affidavit to this Court that if, within a period of two months, any other person shows better right on the said amount, she shall remit the amount to the Court.
3. Application stands disposed of accordingly.
4. Issue a letter to the respondent.

(Typed and Pronounced in open Court)

Date: 13/03/2026
Ratnagiri

Sd/-
(Shabnam Yunus Shaikh)
Judicial Magistrate, F.C.
Court no.2, Ratnagiri.

