

MHSN060027682025 	Cri.M.A. 229/2025 Juber Mohammadsharif Taralekar Vs. State of Maharashtra
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ORDER BELOW EXH. 01

This application has filed by the applicant as per section 503 of the BNSS for direction to the concerned banks to return of the amount which is withhold by the concerned Banks.

02. Heard Ld. Advocate Shri. S. N. Handifod for the applicant and Ld. APP Smt. S. M. Petkar for the prosecution.

03. It is submitted for the applicant that, on 21.02.2024 an online financial fraud has been committed as against the present applicant. Further, it is submitted that, the amount of Rs. 3,10,000/- has been transferred by the applicant. When the applicant came to know that, he have been financially defrauded and became the victim of online fraud, then the applicant lodged complaint on Cyber Portal. As per the complaint of the applicant, Cyber Crime complaint vide acknowledgment no. 31902240032763 and 31902240032766. Thereafter, the Cyber Department succeeded to hold Rs. 2,89,173/- and the said amount put on hold by the Cyber Department with concerned Bank vide acknowledgment no. 31902240032763 and 31902240032766. It is submitted by the applicant that, the said amount was taken from the applicant by cheating on him and the said amount requires to

be return to him. Hence, it is prayed that, the application may kindly be allowed.

04. The Ld. APP filed say and submitted that, the amount is hold by the concerned bank, therefore say of that concerned bank is necessary. Lastly, it is prayed that, necessary order may be passed.

05. The Miraj City Police Station has filed say and submitted that, as per the National Cyber Crime Portal the amounts is lien marked/put on hold by the Cyber Portal. Therefore, necessary order may be passed.

06. Perused the application and documents along it. The applicant has lodged complaint for online fraud of Rs. 3,10,000/- vide acknowledgment no. 31902240032763 and 31902240032766. It is seen from the record that, an amount of Rs. 2,89,173/- is put on hold and lien marked by the Cyber Portal vide acknowledgment 31902240032763 and 31902240032766. The details about the account number and amount put on hold by the concerned banks is mentioned in the application. At this juncture, other than the applicant, nobody is claimant of that amount.

07. From the documents placed on record, the applicant appears to be custodian of the withhold/freeze amount. Applicant has also filed affidavit in support of application. Therefore, no purpose would be served in keeping the above said hold/freeze amount lying in the Bank. Therefore, at this juncture, right of the applicant relating to hold/freeze amount cannot be deprived. As the applicant has shown his prima facie ownership over the amount, he is entitled for possession of the same. In the result

following order is passed.

ORDER

1	The application is allowed.			
2	The concerned Bank Officer are directed to release an amount of Rs. 2,89,173/- which is put on hold by the banks in the following account as follows,			
	Account No.	Date	Bank	Amount
	930510110005597	28.02.2024	Bank of India	15,000/-
	00000042694142895	28.02.2024	State Bank of India	2,00,000/-
	515819210000014	28.02.2024	Bank of India	29,173/-
	00000035875953899	22.02.2024	State Bank of India	2700/-
	923010058415727	28.02.2024	Axix Bank	27,300/-
	000000396011141	17.06.2024	State Bank of India	15,000/-
	Total			2,89,173/-
	vide Cyber Crime acknowledgment no. 31902240032763 and 31902240032766 and transfer the same in the account of applicant namely Juber Mahamadsharif Tarlekar , account no. 058101513419 maintained with ICICI Bank Branch, Miraj.			
3	The Investigation Officer of Miraj City Police Station is directed to inform the concerned bank to release an amount as per the order.			
4	The applicant shall furnish the indemnity bond cum undertaking that he shall deposit Rs. 2,90,000/- as and when directed by the police or the Court.			
5	The applicant is directed to submit indemnity bond before the Investigation Officer of Miraj City Police Station.			

Miraj
Date : 23.04.2026.

(Anirudha S. Rane)
Judicial Magistrate F.C.,
Miraj.