Order Below Exh. 1 in Cri. M. A. No. 128/2026
(Vivek Gujar Vs. State of Maharashtra)

1. The instant application has been filed under Section 503 of the B.N.S.S. for return of the amount put on hold in Online fraud complaint no.31904260074774.

2. The contentions of the applicant, in brief, are as follows.

3. The applicant holds a Savings Bank Account bearing No.11432151049 in State Bank of India, Akluj Branch, Solapur. On 09.04.2026, an online fraud was committed of an amount of total Rs.12,86,225.87. Therefore, on 09.04.2026, the applicant registered a complaint on the Website of National Cyber Crime Reporting Portal. The number of the complaint is 31904260074774. On 09.04.2026, the applicant received a message informing that the total amount of Rs.12,86,225.87 has been kept on hold. After receipt of that message, the applicant went to Akluj police station to inquire. He was advised to obtain proper order from the Court for return of the amount. Hence, this application is filed praying that the amount of Rs.12,86,225.87 kept on hold in respect of the concerned Cyber Crime be returned to the applicant.

4. The I.O. filed say and furnished the details of the concerned transaction involving the complaint of online fraud and the amount put on hold in the concerned bank. The learned A.P.P. has filed say he submitted to pass appropriate order.

5. Say of concerned Banks was called. But say was not filed till date. Hence, application proceeded without their say.

6. Perused the application, respective says and record of the case.

Heard learned advocate for the applicant, the learned A.P.P. for the State.

7. It is not disputed that the applicant has filed an Online complaint for Cyber crime involving financial fraud. The copy of complaint is filed on record by the applicant bearing acknowledgment No.31904260074774. It shows that on 09.04.2026, the applicant was financially defrauded by deducting total amounts of Rs.12,86,225.87/-. The applicant was financially defrauded and above said amount were deducted from the account of the applicant. It also shows that after lodging of complaint, the concerned bank has put on hold the transaction. As such, the total amount of Rs.12,86,225.87/- is held by the State Bank of India of the concerned transaction. Accordingly, the say of concerned bank i.e. State Bank of India was obtained for proper order from the Court for return of the amount.

8. Considering all these aspects transpiring from the record, it appears that no other person than the applicant has made any claim to the concerned amount as of yet. The I.O. and the Ld. APP for state has also not raised any objection to release the amount in favour of the applicant. Therefore, I must say that the applicant appears to be a rightful claimant to the amount in question. The disputed transaction has been made through U.P.I. Therefore, no currency notes are involved in the transaction. Therefore, there is no question of identification of any cash at the time of the trial. If the amount is handed over to the applicant on indemnity bond, it would cause no prejudice to any person. The investigation and the trial might take considerable time. If the amount is not released in favour of the applicant in the mean time, he would suffer considerable financial loss. Considering all these aspects, I find it necessary in order to serve the ends of justice that the disputed amount be returned to the applicant subject to

the appropriate terms and conditions. Accordingly, I pass the following order.

O R D E R

1. Application is allowed in the following terms.

2. The amount of Rs.12,86,225.87/- (Rs. Twelve Lakh Eighty-Six Thousand Two Hundred Twenty-Five and Eighty-Seven Paise only) put on hold in Online financial fraud in Cyber crime complaint No.31904260074774 be returned to the applicant Vivek Namdeo Gujar by depositing the same in his bank account bearing no.11432151049 in State Bank of India, Akluj of Rs. 12,86,225.87/- after furnishing of an indemnity bond of Rs.12,86,225.87/-.

3. The applicant shall give an undertaking on affidavit that he shall indemnify any person or persons who are ultimately found at the time of conclusion of trial to be legally entitled for the said amount.

4. The applicant shall produce an amount of Rs. 12,86,225.87/- as and when the court directs.

5. The applicant is directed to take all the necessary steps for deposit of the aforesaid amount in the bank account of the applicant.

6. Inform all the concerned accordingly.

7. The application is disposed off accordingly.

DISTRICT COURTS MAHARASHTRA

Digitally signed by GULFARAZ MAQSOOD BIRADAR
Date: 2026.07.14 12:16:49 +0530

Date : 14.07.2026.

(Gulfaraz M. Biradar)
3rd Judicial Magistrate First Class,
Malshiras