

MHST150006512026 	<u>Cri. M.A. No. 57/2026</u> Baban Ananda Pawar <u>V/s</u> State of Maharashtra
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Order below Exh. 1

Through this application the applicant **Baban Ananda Pawar** is praying interim custody of muddemal amount of Rs. 12,865/- (Rs. Twelve Thousand Eight Hundred Sixty Five Only) which is freezed by Vaduj Police Station Cyber Complaint No.31902260033647. The applicant has contended that if the said muddemal amount remains idle in the account of accused, the applicant will face difficulties for his daily work due to need of money. Therefore, he has prayed that the muddemal amount be given in his interim custody on bond.

2. I have called the say of Learned A.P.P., Investigating Officer. The Learned A.P.P. and the Investigating Officer have no objection to transfer muddemal amount on due verification of entitlement of said muddemal amount on Supurtnama or bond of indemnity by imposing some conditions.

3. Perused the application and say. Heard both the sides. On perusal of record it appears that, the said muddemal amount of Rs.12,865/- has been seized by Police by freezing the bank accounts of accused Jammu and Kashmir Bank Account No. 0897020100000108 IFSC Code JAKA0BTINDI in above

mentioned Complaint for offence of Online fraud.

4. Indeed, in view of the findings given in the landmark case of **Sundarabhai Ambala Desai Vs. State of Gujarat AIR 2002 SCW 5301** wherein it is directed to the Magistrates that, *muddemal lying at police station having no use there to be released as expeditiously as possible.*

5. Resultantly, in view of the supra stated findings I do not find any reason to detain the amount necessary for day to day financial transactions. If said amount remained at bank there is possibility of irreparable loss to the applicant. Therefore, in such circumstances, it is necessary to transfer muddemal amount in the interim custody of applicant. The applicant has claimed said muddemal amount i.e. Rs. 12,865/- (Rs. Twelve Thousand Eight Hundred Sixty Five Only). On perusal of documents i.e. Complaint, Aadhar Card of applicant, receipts of online payment to accused through UPI transaction etc., it appears that the above mentioned muddemal amount belongs to the applicant. Hence, I proceed to pass following order.

ORDER

1. Application is allowed.
2. The amount of Rs. 12,865/- (Rs. Twelve Thousand Eight Hundred Sixty Five Only) be transferred from the account of accused maintained with Jammu and Kashmir Bank Account No. 0897020100000108 IFSC Code JAKA0BTINDI

to the account of applicant namely Baban Ananda Pawar maintained with IDBI Bank, Branch Mhasurane Account No. 0605104000026071, IFSC Code IBKL0000605 in interim custody of the applicant on executing Supurtnama (indemnity bond) of Rs. 12,865/-.

3. The applicant to produce said muddemal amount as and when required by the Court during trial.
4. Investigating Officer shall prepare detailed panchnama in this respect.
5. Information of the order be given to the concerned police station.
6. Issue yadi accordingly.

Date – 18.08.2026.
Vaduj.

(M. I. S. Daryawardi)
Judicial Magistrate F. C.,
Vaduj, District Satara.