



ORDER BELOW EXH.01
(Passed on 02.06.2026)

The applicant has filed an application under Section 503 of the Bharatiya Nagarik Suraksha Sanhita for interim custody of seized amount of Rs.19,904/- (for short 'seized amount') on supratnama, which was freezed in the account of Axis Bank bearing account No.922020063644051. The applicant lodged the complaint to National Cyber Crime Reporting vide complaint No.31909250174657 dated 21.09.2025 in respect of the transactions.

2] The applicant submitted that he is a law abiding person and having bank account bearing account No.31524272356 in the State Bank of India, Branch- Arvi, Dist. Wardha, and the said account is being used by the applicant, and the Mobile No.8716911107 is connected with the said bank account. On 22.09.2025, an unknown person called on the mobile number of the applicant by talked with him in the voice of his friend by saying that urgent money was required for hospitalization and asked to send Rs 65,000/-, and also send the message and QR code to the applicant. Since, there was a balance of Rs.22,000/- in the applicant's account. Therefore, the applicant sent Rs.20,000/- through mobile number to the unknown person. After that, the unknown person again requested to send Rs.30,000/-. At that time, since there was no money in the applicant's account and suspicion arose in his mind, the applicant disconnected the call and made inquiry on his friend's mobile number. Then the applicant's friend clearly informed him that he had not demanded any money from him. At that time, the applicant realized that he had been completely cheated. In this regard, the applicant went to the Police Station, Arvi, but he suggested that the complaint with regard to the financial fraud came to be lodged at Wardha, therefore, he lodged a complaint with Police Station, City Wardha on 21.09.2025, the receipt of which is No.31909250174657. The

applicant is ready to abide all the terms and conditions, which will be imposed by the Court. Hence, he prayed to release the seized amount and to hand over the interim custody to him.

3] Say was called of I.O. and Ld.APP for the State. Learned APP for the State filed the say vide Exh. No.06 and submitted that bank has withhold the seized amount due to complaint of the applicant. The court may be passed an appropriate order after taking into consideration the say of I.O.

4] Perused the application and say filed by the learned APP for the State. Heard both sides. Notice was received by the Court Duty Constable and the same was served upon I.O. but, he failed to file the say till today, and he has given an ample opportunities and sufficient time for filing the say, but he failed to do so. It appears that the applicant filed the verified copy of his Aadhar Card and copy of complaint lodged to the Police Station, City Wardha on record. From perusal of the said documents, the applicant appears to be the owner of the seized amount. There is no claimant other than the applicant. The applicant is ready to abide by all the conditions to be imposed by the Court. If the seized amount remained idle in the bank account, then there is the possibility that the seized amount will not be useful to the applicant. If the cash is kept in custody for longer time, its value will deteriorate, so also will cause his loss. Hence, he is entitled to get interim custody of the seized amount. Moreover, in the case of **Sundarbhai vs. State of Gujarat, (2002) 10 SCC 283**, the Hon'ble Supreme Court observed that vehicles, cash and other items of the property, which are not necessary for a detailed investigation, should not be kept at the police station or the bank account. The same principle applies to seized amount/money, which should be handed over to the rightful owner on an interim basis and handed over to the person entitled thereto.

5] As stated above, the prima-facie case is made out with regard to the ownership over the seized money, it is just and proper to allow the instant application. Hence, I pass the following order ;

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ORDER

- 1) The application is allowed.
- 2) The Police Station Officer, Arvi, Dist. Wardha is directed to hand over the interim custody of freezed amount in the account of Axis Bank bearing account No.922020063644051 of Rs.19,904/- to the applicant **Ananda Dnyaneshwar Katkar** on his executing supratnama bond of Rs.25,000/- (Rs. Twenty Five Thousand Only) in the police station on the following conditions-
 - a) The applicant shall produce the seized/freezed amount as and when directed by the Court.
 - b) The indemnity bond be executed before the Police Station.
 - c) The concerned officer is directed to take coloured photographs of the seized/freezed amount i.e. currency notes in presence of applicant and prepare a detailed panchnama while handing over the seized/freezed amount to the applicant and obtain his signature on the panchnama as well as on photographs.

Date : 02.06.2026
Place : Arvi

[N. J. Deshmukh]
Judicial Magistrate First Class,
Court no.2, Arvi.