

MHYA100015302025



ORDER BELOW EXH. 1

IN

CRIMINAL MISC. APPLICATION NO.222 OF 2025

Ruchika Babarao Kadu Vs. State.

(Passed on 29th July, 2026)

The present application has been filed by the applicant namely **Ruchika Babarao Kadu** under section 503 of Bharatiya Nagarik Suraksha Sanhita, 2023 (In Short BNSS). The applicant has filed the present application to direct the investigating officer to de-freeze the bank account details below and **transfer the amount** lying therein to the applicant. The applicant has filed Cyber Complaint Application No. 31907250121036 to the Police station Yavatmal.

Sr. No.	Name of Bank	Account No.	Date of freeze	Freezed amount
1.	Karnataka Bank	0439202500001 301	16/07/2025	5,000/-

2. According to the applicant, he received message from one Rasika Aggrawal on his WhatsApp number 8975638651 for online trading. She claimed that, upon investment of Rs. 750/-, the applicant

will receive Rs.14,999/-in 20 minutes. In the name of trading the applicant transferred total 4,99,748/- to the accused. However, he did not received any amount from the accused. Later on, the applicant realised that fraud has been committed on him. He lodged report at Cyber Police Station, Yavatmal. Crime came to be registered. The investigating officer freezed the balance amount of Rs. 2,45,517/- from multiple bank accounts of the applicant. The applicant is victim in the online cheating crime. The freezed amounts belonging to the applicant is no claimed by others. The seized amount is very much necessary and required by the applicant for the necessities. The applicant is ready and willing to abide by any conditions that may be imposed by this court and prayed to allow the present application.

3. On the said application, the report from the Investigating officer is called for and the Investigating Officer has submitted that he has seized above mentioned bank accounts and amount lying therein. He has no objection to release of the freezed amount in favour of the applicant on conditions. The learned APP has filed his say and submitted that he has no objection to defreez bank account and to return the amount in favour of the applicant as prayed by the applicant.

4. Perused the documents submitted along with the application. Heard both the sides. Considered their submissions.

5. Perusal record reveals that the amount freezed by the Investigating officer by freezing the account, it belong to the applicant and there is no rival claim by the others. The Investigating officer has

seized in total 2,45,517/- of the applicant. From the record, it seems that economic offence is registered against the accused. There is no dispute regarding applicant is having bank account in State Bank of India. The applicant has transferred amount from his account to the accused bank account. The applicant has narrated the fact of alleged crime in the first information report of Police station Cyber cell Yavatmal. The investigation officer is authorized person to give no objection to return the amount to the present applicant. Hence, it appears that, applicant is absolute owner of the amount present in the accounts of the accused. The investigating officer and learned APP have not taken any objection to the said reversal. Hence, i am satisfied that, the applicant is entitled for reversal of the said amount. No good purpose would be served by keeping the amount frozen in the accounts of the accused for long time i.e. till conclusion of the trial. Therefore, I am inclined to allow the application by imposing conditions. Hence, I pass following order-

ORDER

1. The application is allowed on following conditions :
 - i. The investigating officer is hereby directed to issue intimation to the concern banks and to transfer the amount of Rs. 2,45,517/-.
How they want to take amount.
 - ii. The applicant is hereby directed to execute indemnity bond of Rs. 2,50,000/- with a condition to indemnifying the said amount

against the third party calim and shall deposit the said amount as and when directed by this court.

- iii. Concerned Investigating Officer is directed to submit the copy of the said panchnama along with the charge-sheet before the court.
- iv. Copy of the said order be kept with remand papers of Cyber Complaint Application No. 3192240171645To the Yavatmal Police Station.

Sd/-

Date :- 29/07/2025

Place: Kelapur

(Sayema N.A.S. Shaikh)
Judicial Magistrate First Class,
(Court No. 3), Kelapur