Cri. M.A No.909/ 2023
Shefali Goyanka Vs. State
(Chinchwad Police Station)

ORDER PASSED BELOW EXH.01
(CNR NO.MHPU090077902023)

The applicant has filed an application under Section 457 of the Code of Criminal Procedure for return the amount of Rs. 8,03,851/-.

2. The applicant has contended that on 26/07/2023 she received a message from whats'up mobile No. 9981965590 " My name is Divya, she is from Influence Marketing Agency, did she wants to do part time job". She replied that she is ready for it. Accordingly, she has been informed that she has to perform a task on amazon. The accused through Telegram id @cz11559922 contact with her. The person namely Aloka contact with her to inform her that she has to complete 10 task and sent screen shots. She has been sent Rs. 400/- for performing the task. On 28/07/2023 she received a message from Telegram ID @Kumar12388 that he will sent further task. On the same she has Rs. 1,000/-. She has been awarded Rs. 1,300/- for that task. After she has transferred the amount of Rs. 32,68,327/- from her ICICI Bank. Thereafter, she came to know that she has been deceived. Therefore, on 08/08/2023 reported incident to National Cyber Portal vide acknowledgment No. 31908230030448. During investigation the amount of Rs.2,00,000/- of ICICI Bank account No. 022205001789, Rs. 4,00,000/- of Yes

Bank account No. 040063400006483, Rs. 1,00,000/- of Yes Bank account No. 064863400003024, Rs. 1,03,851/- of State of Bank of India Account No. 41419761284, and Rs. 5,00,000/- of Punjab National Bank of Account No. 2524002100330622.

3. Per contra investigation officer and learned APP filed their say that the amount of Rs. 13,03,851/- kept in hold. The Nodel Officer of ICICI Bank, Yes Bank , State Bank of India and Punjab National Bank has been informed. Suitable order may be passed.

4. Perused applicant and say filed. Heard learned advocate Shri.D.S. Kucheriya for the applicant and learned A.P.P. for the prosecution. On the perusal of record it seems that the statement of account of the applicant of ICICI Bank supported her contention regarding the transfer of amount to the accused. No one has claimed the amount apart from the applicant. The said account of accused has been freeze by the investigating officer.

5. The applicant is entitled to claim the said amount. No purpose will be suffice if the said amount lying with the bank. Hence, I proceed to pass the following order :

<u>O R D E R</u>

1] The application is allowed.

2] The Nodel officer of ICICI bank, Yes Bank, State Bank of India and Punjab National Bank are directed to released below mentioned amount in the name of applicant Shefali Goyanka resident of Flat No. 301, A Wing, Shitole Empire building, New Sangavi, Pune after due verification of her identity.

Sr.No.	Account Number	Bank Name	Amount
1	022205001789	ICICI	Rs.2,00,000/-
2	040063400006483	Yes Bank	Rs. 4,00,000/-
3	064863400003024	Yes Bank	Rs. 1,00,000/-
4	41419761284	State Bank of India	Rs. 1,03,851/-
5	2524002100330622	Punjab National Bank	Rs. 5,00,000/-

3] The investigation officer permit the Nodel officer of the ICICI bank, Yes Bank, State Bank of India and Punjab National Bank to transfer the above mentioned amount in the name of applicant and report the compliance to this court.

4] The applicant shall executed indemnity bond of Rs. 13,04,000/- (Rupees Thirteen Lakh Four Thousand) at Police Station, Chinchwad, Pune.

5] I.O. is directed to file copy of this order along with charge-sheet.

Sd/-
(N. R. Gajbhiye)
Jt. Judicial Magistrate First Class,
Pimpri, Pune.

Date : 11/01/2024.
Place : Pimpri, Pune.

CERTIFICATE

I affirm that the contents of this P.D.F. file Order/ Judgment are the same, word to word, as per the original Order.

Name of the Stenographer	:-	Smt. B.S. Jamkhandi
Name of the Court	:-	N. R. Gajbhiye Jt. C.J.J.D. and J.M.F.C. Pune.
Order / Judgment Date	:-	11/01/2024
Order / Judgment signed by the Presiding Officer on	:-	11/01/2024
Order uploaded on	:-	12/01/2024