CNR.NO. MHMM-11009832/2026

**IN THE COURT OF ADDL. CHIEF JUDICIAL MAGISTRATE,
37TH COURT, ESPLANADE, MUMBAI
MISC. APPL. NO. 2256 OF 2026
C.R.NO. 51/2025 NODAL CYBER POLICE STATION**

ORDER BELOW EXH.01

The applicant has filed this application for return of amount of Rs.9,39,063/- by transferring the said amount in his bank account mentioned in para No.11 at serial No.(a) of the application. The application is supported by an affidavit along with copies of FIR, Aadhaar Card, PAN Card, bank statements and complaint.

2. It is the contention of the applicant that on 12.12.2025 he was informed over the phone by his friend Asif that an individual named Sanvi Agarwal would contact him to provide information regarding a Demat Account. Immediately the applicant received a whatsapp message from Sanvi Agarwal from mobile No. 7090620403 containing a web link. The accused Sanvi Agarwal represented that she provided information on share market trading and instructed the applicant to submit his details through the provided link. Acting in good faith the applicant entered his personal details and HDFC saving account information.

3. The applicant further contended that the accused then lured the applicant with the false promise of earning double profits

through Forex trading. The applicant provided with a purported "Customer Care" number and instructed to process all deposits and withdrawals via whatsapp messages to the said number. The applicant transferred a total sum of Rs.12,00,000/- from his Axis bank account. When the applicant required funds he contacted the accused and was instructed to request a withdrawal through the customer Care number,however, his withdrawal application had been automatically cancelled by the system. Then he came to now that a fraud has been committed against him.

4. The applicant further contended that therefore, he lodged complaint with Cyber Helpline number and a crime came to be registered with C.R.NO. 51 of 2025 with Nodal Cyber Police Station. During the investigation, the Investigating Agency has recovered an amount of Rs.9,39,063/- by freezing various bank accounts. It is his hard earned money and he is in dire need of the same. Hence, the applicant has claimed de-freezing of accounts and transfer of amount in his bank account mentioned in prayer clause para No.11 at serial No. (a) of the application.

5. The prosecution has given no objection to return the amount of Rs.9,39,063/- to the applicant by imposing certain conditions. The learned APP also claimed for passing necessary order by imposing appropriate terms and conditions.

6. Perused the record. It appears that the applicant is the victim. The applicant has filed online complaint. During the investigation, an amount of Rs.9,39,063/- has been freezed by the

investigating agency which was transferred from the account of the applicant bearing No. 922010058829987 of Axis Bank. No one turned to the court or investigating officer to take objection regarding the seizure of amount. The Nodal Officer has disclosed acknowledment of the amount which was from the bank account of the applicant and it was freezed on the basis of complaint. The applicant is lawful custodian and owner of the account from where the amount has been hacked by the accused and therefore, the applicant is claiming to return the said amount freezed by the Investigating Officer.

7. The applicant is lawful owner of the amount and if amount is not been paid to the applicant it would cause serious prejudice to him. If amount is given to the applicant, no prejudice will be caused to either parties as no one has claimed the said amount. The applicant is ready to furnish the indemnity bond and he is ready to produce the amount whenever called. In the circumstances, it would not be appropriate to keep the said amount idle in the bank accounts. Therefore, it is necessary to transfer the said amount in the account of the applicant on executing appropriate indemnity bond. Hence, I pass the following order :-

ORDER

1) The Unit Incharge is directed de-freeze the accounts freezed during the investigation of the crime and return the amount of Rs.9,39,063/- to the applicant by crediting the said amount in the bank account of the applicant mentioned in para No.11 at serial No.(a) of the application on execution of indemnity bond of Rs.10,00,000/- (Rupees Ten lakh only) by the applicant.

2) The applicant shall deposit the said amount in the Court, as and

when directed by the Court and if required during trial.

3) The Miscellaneous Application No. 2256 of 2026 be tagged along with original charge-sheet.

DATTATRAY SHANKARRAO KHEDEKAR

Digitally signed by DATTATRAY SHANKARRAO KHEDEKAR
Date: 2026.08.05 17:40:30 +0530

Date : 05.08.2026

Addl. Chief Judicial Magistrate,
37th Court, Esplanade, Mumbai