Amit Kishore Vs. State of Punjab

CRM/5395/2025

Complaint acknowledgement No.22502240002115 dt. 09.02.2024,

PS Cyber Crime Ludhiana.

Application to release/refund of amount freeze in the bank.

Present: Applicant Amit Kishore in person.

Sh. Kulwinder Singh APP for the State.

Investigating Officer SI Rakesh Kumar No.1122/Ldh P. S. Cyber Crime, Ludhiana.

1. Arguments heard on application Under Section 503 BNSS for release/refund of amount freeze in the bank.

2. It has been averred that applicant Amit Kishore son of Laxman Prasad is the victim of Online fraud of Rs.1,09,91,000/-. It has been averred that out of total amount an amount of Rs.2,11,000/- has been put on hold by the police authorities upon complaint registered by the applicant-complainant by visiting Cyber Crime Office, Ludhiana on 09.02.2024. That, an amount of Rs.2,11,000/- be refunded to his account. Accordingly, prayer for allowing this application has been made.

3. The detailed report from investigating agency has also been received. As per report, out of total amount an amount of Rs.2,11,000/- is still lying deposited in the accounts of accused i.e. an amount of Rs.11,000/- in SBI Bank account no.20169164526 and an amount of Rs.2,00,000/- in Indian Overseas Bank account no.093502000000812. The amounts which have been frozen, the statements of accounts from the concerned banks have been obtained. Further, Investigating agency has no objection to release the total amount of Rs.2,11,000/- to the applicant. The report of investigating agency and statements of account of applicant have prima-facie material to believe that the amount transferred from account of applicant was not a voluntary transfer, but a result of online fraud. It has been further reported that as per RBI guidelines in such unauthorized transfers, the sufferer is legally entitled to get full refund. The investigating agency has no objection, if the amount in the account of accused is released in favour of applicant by way of re-transfer/reverse transaction in the account of complainant. Learned APP for the state has

not contested the application and has requested for passing appropriate order as per report.

4. The investigating agency as per the investigation conducted till now has a prima-facie belief that the complainant has been defrauded in an online fraud and a part of amount, so defrauded is lying frozen in the bank account of accused, who is yet to be arrested. As, the said amount belongs to applicant, who as per the guidelines of RBI is entitled for its refund by reverse transfer, accordingly, the application is **allowed** and the amount of Rs.2,11,000/- is ordered to be refunded in favour of applicant/complainant as per rules. Papers be consigned to Record Room, Ludhiana.

Pronounced in open Court:

(Dazy Bangarh),
Chief Judicial Magistrate
Ludhiana /UID No.PB0343

Dated: 26.11.2025

Gurpreet Singh Stg-I