

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

WRIT PETITION NO. 2799 OF 2025

Mrs.Pamela Menezes

... Petitioner

versus

North Region Cyber Crime Police Station

Samtha Nagar Police Station & Ors.

... Respondents

...

Ms.Clara W. Patil for the Petitioner.

Mr.Mayur Sonavane for the Respondent -State.

Ms.Vaishali Bhilare for Respondent No.2.

...

**CORAM : RAVINDRA V. GHUGE &
GAUTAM A. ANKHAD, JJ.**

DATE : 28th July, 2025

P.C.:-

1. The Petitioner has put forth prayer clauses (b), (d), (e) and (f),
as under:

“(b) That the Hon'ble Court pass an order to recover the amount of Rs.12,88,021.88/- for the above Respondent and transfer the said amount in the Account of Petitioner's Karnataka Bank Ltd. Account No. 5092500100050901.

(d) That this Hon'ble Court issue process under section 225 of CRPC should be issued the above section / or proceedings should be issued against the Respondent in the above crime and the Respondent should be sentenced according to law.

(e) That this Hon'ble Court give direction to the local Police Samta Nagar Police Station to find real account of Cyber criminals.

(f) That this Hon'ble Court give direct to the all Respondent compensate to the Petitioner with the interest of 18@ per annum till realization of the said Petition.”

2. It is undisputed that the Petitioner came across a website that assured extra income. She herself accessed the site, downloaded an application, and then proceeded to utilize the Telegram App. Even her fixed deposit receipts (FDR) held with Respondent No. 2 Bank, were prematurely encashed by her, and the money was transferred in her bank account. From the said Bank account, she transferred the money to invest it according to the guidance provided through the App. Subsequently, she realized that this was a case of Cyber fraud.

3. She has already approached the learned Judicial Magistrate First Class, 17th Court, Borivali, Mumbai. An order below Exhibit 1 was passed on 10th July, 2024. The learned Advocate for the Petitioner submits that she has also filed additional Applications before the said authority, for recovery of her amounts, which are still pending.

4. Considering the above, we cannot entertain this Petition in terms of the prayers that have been put forth. We would request the learned Judicial Magistrate First Class, before whom the Petitioner's Applications are pending, to expeditiously decide the same.

5. **This Writ Petition is accordingly disposed off.**

(GAUTAM A. ANKHAD, J.)

(RAVINDRA V. GHUGE, J.)