



ORDER BELOW EXH. 1

ATTROCITY CASE NO. 08/2020.

1. Heard the learned advocate Mr. S.K. Joshi and learned APP Mr. P.H. Parmar.
2. In view of order passed by Hon'ble Hon'ble High Court of Gujarat in R/Criminal Misc. Application No. 7193 of 2022 dated 12/04/2022 which is as under :

“Resultantly, this application is allowed. The impugned FIR bearing C.R. No. 11823014200223 of 2020 registered with Kevadiya Police Station, dist. Narmada, as well as other consequential proceedings are hereby quashed and set aside. Accordingly, Rule is made absolute. Direct service is permitted.”
3. The accused has filed an application in which he has stated that mobile (1) of Redmi Company Note – 7 pro and (2) Panasonic Company ELUGA I4 2 GB (gold) are in the custody of the Court. That the Hon'ble High Court has quashed the case against the applicant, copy of which order is produced by him and requested to return the muddamal

lying with this Court.

4. The accused has also produced bills of mobile phone of Redmi Note 7-pro in the name of father of accused Bijendrasin K. Chauhan purchased on dated 23/05/2019 and bill of ELUGA I4 2GB PANASONIC (GOLD) in the name of accused Mohit B. Chauhan dated 19/11/2017. Going through the record it has come on record that the Hon'ble High Court of Gujarat has quashed the matter and thus there is no need to keep muddamal with this Court.
5. So far as mobile phone of Redmi Note 7-pro in the name of father of accused Bijendrasin K. Chauhan purchased on dated 23/05/2019 is concerned, the IMEI number of this mobile does not match with the muddamal lying with this court therefore the relief asked by the accused to return mobile of Redmi Note 7 pro cannot be considered at this stage.
6. As the accused has proved that the mobile phone of ELUGA I4 2GB PANASONIC (GOLD) in the name of accused Mohit B. Chauhan dated 19/11/2017 is purchased by him, this Court is of the view to return the same to the accused, therefore following order is passed.

O R D E R

1. The matter is hereby disposed off.
2. The Registrar of this Court is hereby directed to return the mobile phones lying with this Court as muddamal of

ELUGA I4 2GB PANASONIC (GOLD) IMEI No. 353160090163648 to accused Mohit B. Chauhan after proper verification.

3. The earlier order passed in favour of complainant to return the muddamal u/s 452 of Cr.P.C. of mobile redmi Note-7 pro black is hereby finalized.
4. The muddamal of samsung mobile silver colour IMEI No. (1) 3563680378939 and IMEI No. (2) 356369080378937, mobile redmi Company black colour IMEI No. 861934048345555 be handed over to concerned party after proper inquiry u/s 452 of Cr.P.C.
5. The remaining muddamal of screen shot of 8 papers (xerox), screen shot of 23 papers (xerox) is hereby ordered to be destroyed after appeal period.

Signed and pronounced in the open Court today on 7th May, 2022.

(Nasir Saidullah Siddique)
Additional Sessions Judge,
Rajpipla, District Narmada
Code No. GJ00650

Date : 07-05-2022

Place : Rajpipla, Dist. Narmada