

ORDER BLEOW EXH.01 IN NOTICE CASE No.856/N/2021

1. This is an application filed by applicant Hanumant Parshuram Khadtare for getting the interim custody of seized Oppo mobile handset and gold mangalsutra of 12 grams, which are seized in crime no.569/2021 registered in police station Oshiwara for the offences punishable under Sections 457 and 380 of the Indian Penal Code.

2. The applicant submitted that seized property belongs to him. He is ready to abide by all the conditions which may be imposed by this court. Hence, interim custody of seized property be given to him.

3. I.O. filed his say and submitted no objection to the application. The learned A.P.P. filed his say and submitted that necessary conditions may be imposed while allowing the application. I have gone through the record. The claim of the applicant is supported by the contents of F.I.R. lodged by him. The applicant is ready to abide by all the conditions. The applicant is informant and victim of the crime. Considering the nature of the offence and say of prosecution, I am of the view that it would be proper to handover the interim custody of the seized property to the applicant by imposing necessary conditions. Hence, the order.

ORDER

1. The application is allowed.

2. Interim custody of seized Oppo mobile handset and gold mangalsutra of 12 grams, be handed-over to the applicant on execution of Supurtnama Bond of Rs. 1,00,000/- (Rupees One Lakh only), subject to the condition that the applicant shall produce the seized properties as and when directed by the court, till disposal of the case.

3. I. O. is directed to prepare detail panchnama of seized properties and obtain the photographs of the seized properties before handing-over the same to the applicant and submit the same with the charge-sheet.

4. I. O. is directed to obtain the certificate from reputed goldsmith regarding the weight and value of the seized gold mangalsutra before giving its custody to the applicant and filed it with the charge-sheet.

5. Inform to police station Oshiwara accordingly.

sd/-

(Imran R. Marchiya)
Metropolitan Magistrate,
Railway Mobile Court,
Andheri, Mumbai.

Date : 24/08/2021