

MHAH200018642022

[Adinath Ganpat Vs. State]



ORDER BELOW EXHIBIT 1.

1] This is an application filed by the applicant Adinath Ganpat Tagad for interim custody of a] 2 Locket (लॉकेट) - 41 grams, b] Ganthan (गंठण) - 30 grams, c] Neck less (नेकलेस)- 10 grams, d] Rani Har (राणी हार)- 25.540 grams, e] 2-Zumber (झुंबर)- 7.5 grams, f] 2-Well (वेल) - 4.5 grams, g] Sar (सर)- 10 grams, h] Pot (पोत) - 10 grams and i] 2 Rings (अंगठ्या) 10 grams seized by Pathardi Police Station, Pathardi in connection with Crime No.862/2022.

2] Perused the application and say filed by Learned A.P.P. and Investigating Officer at Exh.07. The application is supported by affidavit of the applicant at Exh.05. The Learned A.P.P. has opposed the application mainly on the ground that it is important part of evidence. Investigating Officer has not opposed the application. Heard both the sides.

3] The applicant has produced on record certified F.I.R. in crime No.862/2022, certified copy of remand paper in Crime No. 862/2022 dtd. 22.09.2022, certified copy of remand paper in C.R. No. 862/2022 dtd. 25.09.2022, original receipts of golden ornaments and Aadhar copy of the applicant. It reveals that the applicant is entitled for the custody of seized golden ornaments. No purpose will be served by keeping the ornaments in the custody of police. The applicant is ready to abide with the conditions those may be imposed

by the court. Therefore, as no one other than the applicant has claimed the possession of the said golden ornaments, it would be just and proper to hand over its custody to the applicant. In the result I passed the following order.

ORDER

1. Application is hereby allowed.
2. The seized **a]** Locket (लॉकेट)-2, **b]** Ganthan (गंठण), **c]** Neck less (नेकलेस), **d]** Rani Har (राणी हार), **e]** Zumber (झुंबर)-2, **f]** Well (वेल)-2, **g]** Sar (सर), **h]** Pot (पोत) and **i]** 2 Rings (अंगठ्या) be handed over to the applicant **Adinath Ganpat Tagad** till the conclusion of trial on executing bond Rs.8,00,000/- (Rupees Eight Lakhs) on following conditions :-
 - i] The applicant shall not alienate, change or transfer the seized gold ornaments without prior permission of the Court.
 - ii] The applicant shall maintain and preserve the seized golden ornaments in all respects.
 - iii] The applicant shall produce the seized ornaments in the Court as and when directed.
3. The Investigating Officer is directed to prepare panchanama of said gold ornaments and take photographs of said muddemal and file the same in court.
4. Inform the concern police station accordingly.

Place - Pathardi
Date : 19/10/2022

[V. I. Shaikh]
Judicial Magistrate F. C.,
(Court No.2), Pathardi.