



ORDER BELOW EXH.1 IN CRI. MISC. APPLICATION NO.91/2026

(Gautam Ramchandra Suryawanshi Vs. State of Maharashtra)

1. The present application is filed by the applicant under section 503 of Bhartiya Nagrik Suraksha Sanhita, 2023 for release of white colour Mobile OPPO F-29 Pro having IMEI No. 866658076581774 and 866658076581766 seized in Crime No. No.262/2026 of Anti Corruption Bureau, Ahmednagar under Section 7(a), 12 of The Prevention of Corruption Act, 1988.
2. The learned advocate for the applicant argued that the applicant is owner of the seized mobile and very important for his daily use. There is important official information and contact numbers in the said mobile. He further argued that the said mobile has been purchased by the applicant in his name. The applicant has filed relevant documents of purchasing mobile in his name. He further argued that the applicant has also filed affidavit before this Court in this regard. He also argued that the said mobile has been kept in idle condition in the police station and it is necessary to release the same for day to day work of the applicant. Hence, he prayed to allow the application.
3. Learned APP submitted that the present mobile has been seized from the possession of accused in this crime during the successful trap operation. The conversation on the said mobile phone between accused and complainant is important technical evidence. Prosecution has made correspondence for obtaining CDR, SDR and tower location. If the mobile is handed over to the applicant, there is possibility of selling it and destroying evidence by the accused and thereby he prayed to reject the application.

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4. Perused application and say. It is seen that prosecution has already applied for CDR, SDR and tower location. These reports are relating to the SIM card used by the applicant. So far as details of the mobile instrument, police would have to obtain its details including IMEI number while preparing panchnama. At this juncture it is not expected to keep the said mobile in idle condition in the police station. Hence, the following order;

ORDER

1. The application is allowed.
2. Interim custody of white colour Mobile OPPO F-29 Pro having IMEI No.866658076581774 and 866658076581766 seized in Crime No. No.262/2026 of Anti Corruption Bureau, Ahmednagar be handed over to the applicant Gautam Ramchandra Surywanshi on furnishing indemnity bond/supurthnama of Rs.25,000/-(Rupees Twenty Five Thousand only).
3. The applicant should not dispose off, pledge, sell or transfer the custody of the above property, by any means, till final disposal of the trial.
4. The applicant should produce the same before the court during trial as and when directed by the Court.
5. The applicant should not make any changes in the nature of said mobile which would affect the identification of the same.
6. Before returning the said phone, concerned police is directed to snap photographs of the said phone to establish its identity.
7. Issue yadi/letter, accordingly.

(A. M. Patil)

Date : 11.05.2026
Place : Ahmednagar.

Additional Sessions Judge,
Ahmednagar JO Code-MH02456