

Order below application for return of property

1. On going through record, it appears that, Mahim Police Station has seized one ASUS Zenfone Mobile in crime no.262/2018. Present applicant has claimed that, she is the first informant and owner of the mobile and in an urgent need of mobile and ready to produce before the Court whenever required. In support of her claim, applicant has filed her affidavit, Copy of FIR, Retail Invoice of said mobile.

2. On this application say of Ld.APP and I.O. was called. Prosecution has no objection to return the mobile to the applicant on usual terms and condition.

3. I have perused the documents. On the basis of Retail invoice produced by applicant it appears that she purchased the above said mobile on her name. Applicant being owner is entitled to take custody of mobile in question. Moreover, the mobile is lying in the police station in ideal condition and likely to cause damage. Per contra, there is no harm to the prosecution, if the application is allowed on stringent condition. With this, I proceed to pass following order :-

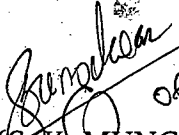
ORDER

The Inspector of Mahim Police Station, if in possession of the ASUS Zenfone Mobile, shall hand over the same to the present applicant.

Before that the applicant to furnish Indemnity Bond on non-judicial stamp paper of Rs.100/- for Rs.10,000/- (Rupees Ten Thousand Only) undertaking to the effect that,

(a) she will not alienate, destroy, give on rent or part with the possession of the above vehicle,

(b) she will produce the property before the Police Station or the Court as directed by this Court.


06/8/18

(S.K. MUNGILWAR)

Addl. Chief Metropolitan Magistrate,
9th Court, Bandra, Mumbai

Dt. 06/08/2018