

**IN THE COURT OF ADDL. CHIEF METROPOLITAN MAGISTRATE,
37TH COURT, ESPLANADE, MUMBAI
MISC. APPL. NO. 1854 OF 2023
C.R. NO. 25 OF 2023 (DCB CID UNIT-XII)
C.R. NO. 23 OF 2023 (Dongari Police Station)**

Mohd. Sabir Mohammed Hanif Valiyani

...Applicant

V/s.

The State of Maharashtra
Through DCB CID UNIT-XII

...Respondent

ORDER

1. Perused application filed by applicant for return of his mobiles Apple I Phone 12 Pro and Google Pixel as prayed in his application and say filed on it by I.O..
2. Heard the learned counsel for applicant and the learned APP.
3. Applicant/accused has filed instant application and submitted that he is the owner of above said mobiles and he is in urgent need of that mobiles for personal use. He has prayed for return of above said mobiles.
4. The prosecution has given no objection to return the above said mobiles to applicant.
5. It appears from the record that the above said mobiles have been seized from applicant during investigation of present crime. As per say of I.O., technical analysis of above said mobiles has been completed. The prosecution has also given no objection to return the above said mobiles to applicant. In such circumstance it will not be proper to keep the said mobiles in custody of police station as it will

diminish its utility and cost. So considering the facts and circumstances, I proceed to pass the following order :-

ORDER

1. Application is allowed.
2. Investigating Officer is directed to handover Apple I Phone 12 Pro and Google Pixel mobiles to applicant as prayed in application on executing his supratnama bond of **Rs.50,000/- (Rupees Fifty thousand only)**.
3. The applicant is directed to produce the above said mobiles as and when directed by the Court.
4. The applicant is directed that not to change the nature of said mobiles or to sell the same till the conclusion of this trial.
5. The photographs of above said mobiles be taken at the cost of applicant in such a manner that the mobiles could be identified from the photographs itself and prepare the detailed panchanama accordingly.
6. Copy of panchanama and one set of photographs be produced in the Court after release of above said mobiles.

Date : 30/05/2023

Addl. Chief Metropolitan Magistrate,
37th Court, Esplanade, Mumbai.