

MHNG180011902026

**ORDER PASSED BELOW EXH.1**

1] The present application is filed by the applicant Shila Babanrao Agey for return of Gold Mangalsutra of 1 tola 3 gram as per the provision of Section 503 of B.N.S.S. which is seized by Kalmeshwar Police Station, in C. R. No. 425/2026 for the offence punishable under Sec.303(2) of B.N.S.

Description of the Mobile Phone is as under :

Gold Mangalsutra of 1 tola 3 gram

2] Ld. APP. has objected through her say and submitted that no ownership receipt is filed on record. Hence, she prayed to pass necessary order. I.O. has filed his say at Exh.05 and submitted that the stolen gold ornaments has been recovered in the form of gold lagad. Hence, prayed to pass necessary order.

3] I heard both side. I have perused the application and documents filed on record. It appears that, the gold Mangalsutra Chain which was Stridhan of the informant has been stolen. Accordingly she has registered offence. The investigating officer has recovered the stolen gold ornaments in the form of lagad. Applicant filed copy of Aadhar card and copy of F.I.R. Hence, there is no hesitation to hand over possession of said property i.e.

Gold Mangalsutra in the form of gold lagad to the applicant.

4] Trial in this crime yet to be commence. No purpose will be served by keeping the property in custody of police. If the property keep pending in the present situation, it will certainly cause damages to such property. Hence in such circumstances, it will be just and proper to return the property to the applicant by imposing certain conditions. Hence, I proceed to pass the following order.

ORDER

- i) The application is allowed.
- ii) The Investigation Officer of Kalmeshwar police station, Nagpur is hereby directed to return -

Gold Mangalsutra in the form of Lagad
of 1 Tola 3 Gram

to applicant namely Shila Babanrao Agey which is seized in C.R. No.426/2026 on execution of bond of Rs. - 1,85,000- (Rs. One Lack Eighty Five Thousand only) and in default to forfeit the said amount as temporary custody.

- iii) The applicant is hereby directed not to alienate, change or tamper with the alleged property.
- iv) The applicant is hereby directed to produce the alleged property as and when called for trial or investigation.
- v) Upon execution of the above bond before the police station, it is directed to the Investigating Officer to obtain the colour photograph of the above property at the

applicant's expenses by drawing the necessary panchanama and to attach the photograph, panchanama and bond to the charge-sheet.

- vi) The P. S.O., Kalmeshwar police station, Nagpur is hereby directed to submit the compliance report.
- vii) Copy to P. S.O., Kalmeshwar Police Station, Nagpur.

Date: 29/07/2026

(M. M. Bade)
Judicial Magistrate First class,
Kalmeshwar