

Order below application for Return of Property

1. The applicant Mushtaque Ahmed B. Shaikh has filed this application for return of seized Honda Dio bearing no. MH 47-M-1634 in C. R. No. 37/18.
2. Heard Ld. Advocate for applicant and Ld. A. P. P. on behalf of State. Also perused the reply of Sr. P. I. of Kherwadi Police Station.
3. Perused the application and say filed by I. O. The Investigation Officer has no objection to handover custody of recover and seized property i.e. Honda Dio bearing no. MH 47-M-1634 worth of Rs. 70,000/- seized in C. R. No. 37/18.
4. In support of application, applicant has filed on record "Affidavit" to show his willingness for lawful custody of the property. He claims to be the owner. At this stage except applicant there is no other claimant who has claimed a custody of seized property. According to me if seized property is handed over to applicant on bond no any injustice or harm would caused to any person. Hence, application is deserved to be allowed. Therefore, I proceed to pass the following order :

ORDER

1. The application is allowed.
2. The seized Muddemal property i.e. Honda Dio bearing no. MH 47-M-1634 seized in C. R. No. 37/18, be handed over to applicant after executing a Indemnity bond of Rs. 70,000/- (Rs. Seventy Thousand Only).
3. The applicant is directed not to transfer, sell, alienate, dispose or handover the said seized property to third person without prior permission of court.
4. The applicant is directed to produce the concerned property in the court whenever required for trial.
5. The copy of order shall be kept by the Investigation Officer in Charge-sheet while submitting it.

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6. The applicant shall filed residential proof and in case of change in address he shall immediately inform to the court.

Baini
20/3/18

Date:20/03/2018

Metropolitan Magistrate,
12th Court, Bandra, Mumbai
I/c 32nd Court, Bandra, Mumbai