

02.06.2026

Hybrid Hearing

This is an application for release of articles i.e. one Omega Constellation ladies watch, one tag Heuer men's watch, Swarovski ear rings cash amounting of Rs. 3.57 Lakhs, one women's solitaire diamond ring, one swarovski bracelet and one swarovski chain on superdari on behalf of applicant namely Nishaank Mattoo.

Present: Sh. A.K. Tiwari, Ld. APP for the State.
Ld. Counsel for applicant.

IO has filed his reply.

1. Submissions heard. Record perused. As per the report of IO, case property namely ***one Omega Constellation ladies watch, one tag Heuer men's watch, Swarovski ear rings cash amounting of Rs. 3.57 Lakhs, one women's solitaire diamond ring, one swarovski bracelet and one swarovski chain*** were recovered from the accused and were taken into possession through seizure memo as case property. It has been further submitted that the abovesaid articles are no more required for the investigation and the same may be released to the rightful owner as per seizure memo.

2. Keeping in view the report of IO and law laid down by Hon'ble High Court of Delhi in case titled as **Manjit Singh Vs State; Crl. M.C.4485/2013 and Crl. M.A.No. 16055/2013** wherein, inter-alia the law laid down by Hon'ble Supreme Court of India in case titled as **Sunderbhai Ambalal Desai and C.M. Mudaliar Vs. State of Gujrat; (2002) 10 SSC 283** has been reiterated, IO as well as SHO, PS concerned are directed as under:

(i) To release the above mentioned articles to applicant/registered owner subject to preparation of detailed panchnama of above mentioned articles and upon verification of the ownership of the same.

(ii) Take photographs of above mentioned articles from all possible angles and file the same along with charge sheet.

(iii) To take a security bond from applicant/ registered owner for an amount as per the valuation of the above articles.

(iv) To release the abovesaid articles with direction to applicant / registered owner to indemnify to the amount mentioned in the report of IO, in case any claim regarding ownership of abovesaid articles arises in future.

(v) To get panchnama and photographs alongwith negatives, of above mentioned articles, attested and countersigned by complainant, affected party as well as by applicant and IO.

(vi) To keep on record the permanent address of the applicant, his identity proof, address proof as well as phone number.

(vii) The production of punchnama and photographs of the abovesaid mobile phone during trial would suffice for the purpose of evidence.

3. Application moved by applicant stands disposed of and allowed in aforesaid terms. Papers be tagged with the case record. IO/SHO is directed to do the needful within five days from today. *Copy of this order be sent to the IO/SHO. At request, let copy of order be given dasti to counsel for applicant.*

(NIDHISH KUMAR MEENA)
JMFC-04/(SE)/Saket Court
Delhi/02.06.2026