

IN THE COURT OF JUDICIAL MAGISTRATE (FIRST CLASS)
51ST COURT, KURLA, MUMBAI.

C. C. No.5102118/MISC/2024
CNR NO. MHMM13-0111671-2024

Mr. Anil Naresh Bariya

VERSUS

STATE OF MAHARASHTRA
(THROUGH KURLA POLICE STATION)

Order Below Exh.1
(Passed on 27th December, 2024)

- 1] Perused the application and the documents filed along with it. The application is supported by the affidavit of the applicant.
- 2] Ld APP and I.O. have filed their say.
- 3] The applicant in support of his contention has filed on record certain documents i.e. xerox copy of FIR and Aadhar card.
- 4] From the above documents, it appears that the police seized **sky blue colour mobile phone of VIVO Company model Y-1 IMEI No.866115055660871, 866115055660863** in C. R. No.189/2024 and the same is lying at Kurla police station. Till date nobody except the applicant come before the court to claim in respect of the seized mobile phone. FIR is registered at the instance of the applicant. Investigating Officer and APP have no objection to handover the said mobile to the applicant on certain terms and conditions. Hence, no purpose will be served by keeping the seized mobile phone at police station premises. Hence, order:

ORDER

1. Application is allowed.
2. Seized property i.e. sky blue colour mobile phone of VIVO Company model Y-1 IMEI No.866115055660871, 866115055660863 be handed over to the applicant **Mr. Anil Naresh Bariya** till the conclusion of the trial on his executing indemnity bond of Rs.10,000/-(Rupees Ten thousand only) on following terms and conditions.

A] The applicant to undertake that, he shall produce the seized property in the Court as and when directed by this Court, Appellate Court or Revisional Court.
3. The applicant to execute Indemnity Bond before the concerned Investigation Officer/PSO.
4. The Investigation Officer/PSO is directed to submit Indemnity Bond and photo along with charge sheet of C. R. No.189/2024.
5. Issue letter to Kurla Police Station accordingly.

sd/-

(S.M.Gourgond)

Judicial Magistrate (First Class),
51st Court, Kurla, Mumbai.

Date :-27.12.2024

ssm/