

Notice No.67/N/2018

Order below application for Return of Property

1. The applicant Kamlesh Ganpat Lalji Salesha @ Jain has filed this application for return of seized property in C. R. No. 35/2018.
2. Heard Ld. Advocate for applicant and Ld. A P. P. on behalf of State. Also perused the reply of Sr. P. I. of Nirmal Nagar 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. cash amount of Rs.1,46,000/- in C. R. No. 35/2018.
4. In support of application, applicant has filed on record "Affidavit", copy of FIR 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 pass following order :

ORDER

1. The application is allowed.
2. The seized Muddemal Property i.e cash amount of Rs.1,46,000/- in C. R. No. 35/2018 be handed over to applicant after executing a Indemnity bond of Rs.1,46,000/- (Rs. One Lakh Forty Six Thousand Only).

Jain
20/12/18

3. The applicant is directed to take photographs of the cash amount of Rs.1,46,000/- and to produce the same before the court.

4. The copy of order shall be kept by the Investigation officer in the Charge-sheet while submitting it.

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

Mumbai.
Date:27/02/18

R. S. Sarkale
(R. S. Sarkale),
Metropolitan Magistrate,
12th Court I/c. 32nd Court, Bandra, Mumbai.