

MHAH200003002026



Cri. O.M.A. No. 59/2026
[Appasaheb Vs. Police Station Pathardi]

ORDER BELOW EXHIBIT No.01

1] This application is filed as per section 503 of Bhartiya Nagarik Suraksha Sanhita by applicant namely **Appasaheb Gangadhar Shinde** for interim custody of amount of Rs.1,00,000/- seized by Police Station, Pathardi in connection with Crime No.128/2026.

2] Say filed by Investigation Officer at Exh. 6 and Ld. APP. The Learned A.P.P. has filed say and submitted that, the said amount is transferred by the accused person through Phone Pay which is installed in the mobile phone of the applicant. The said amount is stolen by the unknown accused and same transfer to the one account holder and this amount was recovered from that account. The said amount is necessary for the evidence and prayed to pass necessary order. The Investigation Officer has given no objection to hand over the interim custody of amount to applicant on appropriate terms and conditions. On perusal of say filed by the Investigation Officer it reveals that, the known accused transferred amount of Rs.1,00,000/- to the account of Balasaheb Asaram Solas. I have issue notice and call say from the Balasaheb Asaram Solas. He filed say that, the amount seized from police from his account. He did not have any objection to return the same to the applicant. He did not having any transaction nor having any connection with the applicant.

3] The applicant has produced on record photo copy of FIR. It

reveals that, the applicant is prima facie entitled for the custody of seized amount. No purpose will be served by keeping the amount in the custody of police. Yet the prosecution is unable to secure the presence of accused. The applicant is not accused. The applicant is ready to abide with the conditions those may be imposed by the court. Furthermore, the person to whom the unknown accused transferred amount from the account of applicant by phone pay i.e. Balasaheb Asaram Solas also filed no objection at Exh.8. In the result I passed the following order :-

ORDER

1. Application is hereby allowed.
2. The interim custody of the seized amount of Rs.1,00,000/- (Rupees One Lakh only) be handed over to the applicant **Appasaheb Gangadhar Shinde** till the conclusion of trial on executing bond Rs.1,00,000/- (Rupees One Lakh only) as per section 503 of the Bhartiya Nagarik Suraksha Sanhita 2023 on following conditions :-
3. The Investigating Officer is directed to prepare receipt of handing over said amount to the applicant and forwarded the same along with final report.
4. Inform the concern police station accordingly.

Place :- Pathardi
Date :- 24.03.2026

[Ravikiran Sapate]
Judicial Magistrate F. C.,
(Court No.1), Pathardi.