

MHAH250025842025



Cri.M.A.No.170/2025
Yuvraj Keshav Mandage
VERSUS
The State of Maharashtra

ORDER BELOW EXHIBIT.1.

Nature of the Application-

1. This is an application filed by Yuvraj Keshav Mandage (for short 'the applicant') seeking custody of 0.32 bore revolver bearing Army No.15572313, License No.MN15071A7C77C24 and UIN No.21437002758820/2015 seized in crime register no. 370/2024, registered with Supa Police Station.

Contents in the Application-

2. The applicant has contended that he is retired from army. He is having licensed 0.32 bore revolver with him. False case is filed against him and his revolver has been seized by police. Said revolver is required by him for getting job of security guard. The applicant is ready to obey the conditions as imposed by the Court. On these grounds, the applicant has prayed to grant the application.

Contents in the Say of Investigating Officer and APP-

3. The investigation officer and the Assistant Public Prosecutor (for short 'A.P.P.') have filed their say and objected that the investigation of offence is yet to be completed. Forenci report is yet to be obtained. There is possibility of commission of similar offence. Therefore, they have

prayed for rejection of the application.

Points and Findings-

4. Heard both the sides. Upon hearing the following points arise for my consideration and I record my findings thereon as under for the reasons to follow:-

Sr.No	Points	Findings
1)	Is the applicant entitled for the interim custody of the said 0.32 bore revolver, as prayed for?	Yes
2)	What Order?	Application is allowed. As per final order.

Reasons as to Point No.1 and 2-

5. The applicant has produced on record the verified copy of is Revolver License, Adhar Card, Pan Card, Ration Card. After going through the contentions in the application and the copy of the revolver license, there cannot be any dispute that the 0.32 bore revolver is owned by the applicant. No other person except the applicant has appeared seeking custody of the revolver till today. It is settled position of law that the weapon can be released under section 503 of B.N.S.S. In order to prevent the weapon from rusting. Moreover, in the present case the applicant is need of said revolver for getting job as security guard. Thus, in view of scope of section 503 of the B.N.S.S., I am of the opinion that the applicant is entitled to receive custody of the revolver as prayed for.

6. The applicant is the owner of the revolver seized and there is every possibility of rusting or deterioration of the said revolver, if it is kept

at the police station for indefinite period i.e. till disposal of the trial. Under such circumstances, it is necessary to make adequate arrangement so as to maintain the seized revolver in proper condition and ensure its production, if necessary, during the trial as and when required.

7. As far as the objections raised by the learned APP same can be taken care by imposing necessary conditions. Thus, precaution is required to be taken by imposing conditions upon the applicant that he shall make available the said revolver and shall produce the said revolver before the Court as and when required. Also, if the proper panchanama before handing over revolver is prepared, that can be used in evidence instead of its production before the Court during the trial. It is of no use to keep such seized revolver at the police station for a long period.

8. In view of the above discussion and considering the aforesaid facts, in the interest of justice, I am inclined to grant the application by imposing certain conditions. Accordingly, I answer point no.1 in the affirmative and in answer to point no.2 I pass the following order.

ORDER

1. The application is allowed.
2. The interim custody of the seized 0.32 bore revolver be handed over to the applicant on his executing Supurtnama, bond in the sum of Rs. 50,000/- (Fifty Thousand Only) on following terms and conditions.
 - a) The applicant shall not transfer, alienate and /or create any third party interest in the revolver in any manner.
 - b) The applicant shall not change the colour, nature and appearance of the said revolver and keep it as it is, so as to be

identifiable.

c) The applicant shall produce 4 colour photographs of the said revolver, which will disclose its full identity. Concerned Police is directed to facilitate the Photographs.

d) The applicant shall produce the revolver before the Court as and when required or ordered to do so. The applicant shall also produce the said revolver as and when required for investigation.

e) The bond shall stand forfeited to the State in case of failure to abide by the conditions herein.

3. This proceedings be tagged with the case papers as and when final report is received in the said crime.

4. After execution of the Supurtnama bond and furnishing the colour photographs by the applicant, the investigating officer shall hand over the custody of the said revolver to the applicant after preparation of necessary panchanama.

5. Issue copy of this order to the concerned Investigating Officer for its compliance. Concerned PSO to file compliance report within 7 days from this order.

Place :-Parner.
Date :- 11.03.2026.

(S.R. Kanakdande)
Judicial Magistrate First Class,
Court No.3, Parner.