

S.T. NO. NO.111/2024

State of Maharashtra .Vrs. Vijay @ Sonu Mahendra Sange
(CNR : MHAK010015412024)
(Applicant : Nanda Mahendra Sange)

ORDER BELOW EX.18

(Date : 16.09.2025)

Applicant Nanda Mahendra Sange, resident of Jathar Peth, Akola, Tq. and District Akola has filed present application under Section 457 of the Code of Criminal Procedure claiming custody of Realme 8i Mobile Phone having IMEI No. 861338051378554, 861338051378547, seized by the police in connection with crime No. 54/2024, registered with Ramdas Peth Police Station, Akola, Tq. Dist. Akola for the offence punishable under section 302 of the Indian Penal Code.

2] It is submitted by the applicant that the accused in the present crime is her son. She had given the above referred mobile to him for his use. She is the owner of the said mobile. She is having all the documents regarding ownership of the said mobile. She is ready to abide by all the conditions imposed by the Court while releasing the above said mobile on Supurtnama. Hence, she prayed accordingly.

3] Learned APP for the State filed its say on this application stating that the police authorities specifically submitted on previous application that the articles seized by the police machinery are the material evidence and hence prayed for

rejection of application. Hence, he also prayed to reject the application.

4] Heard Learned advocate Shri M.B. Sharma for the applicant and Learned APP for the State.

5] From the facts on record, it appears that the applicant is the owner of the seized mobile. The accused to whom she had given the mobile is her son. The applicant has produced copy of purchase bill of mobile phone and Aadhar card. The Purchase Bill of mobile phone dated 04.11.2021 is in the name of applicant. From the said bill and her Adhar Card, it prima-facie appears the ownership of the applicant over the seized mobile phone. It seems that mobile handset was seized from the accused, the son of the applicant. If said mobile handset is kept in unused condition in the Police Station, it's condition will deteriorate, likewise possibility of causing damage to it's parts also cannot be ruled out. As the mobile is the material part of the evidence, it can be called from the applicant as and when necessary. Hence. Considering the facts and circumstances of the case, I pass the following order.

ORDER

- i] Application is hereby allowed.
- ii] Seized mobile handset of Realme 8i having IMEI No. 861338051378554, 861338051378547, seized by the police in connection with crime No. 54/2024, registered with Ramdas Peth Police Station, Akola, Tq. Dist. Akola for the offence punishable under section 302 of the Indian

Penal Code be given in custody of applicant Nanda Mahendra Sange, on her executing indemnity of Rs. 15,000/- (Rupees Fifteen Thousands only).

- iii] Applicant not to alienate or create any third party interest over the said mobile till the conclusion of trial.
- iv] Applicant not to change the nature of mobile and produce the same as and when required during the course of evidence.
- v] Investigation Officer/Police Station in-charge shall draw photographs of the cell phone and prepare the panchnama of return of mobile before delivering the same and report compliance.
- vi] Inform the concerned Police Station accordingly.

Date : 16.09.2025.

(Smt. M.S.Bhadane)
Additional Sessions Judge and
Akola.

Certificate

I hereby certify that the contents of this PDF file are same word for word as per original order:

Name of Steno	:	S.V. Indane.
Court's Name	:	Ad-hoc District Judge-1 & A.S.J., Akola
Date of order	:	16.09.2025
Signed by PO	:	16.09.2025
Uploaded on	:	16.09.2025

N.V. Khokale (Stenographer)

Date of order :

Uploaded on :