

<u>CNR NO :- MHAM170007512026</u>	<u>Other Misc.Cri.Appln No. 53/2026</u>
	Gajanan Ramdas Samrit -vs- State through Police Station Officer, Police Station, Kurha

ORDER BELOW EXH.1
(Passed on 15.06.2026)

The present application is filed by the applicant under Section 503 of the Bhartiya Nagarik Suraksha Sanhita, 2023 to release the seized mobile i.e., **VIVO T4X** bearing IMEI No. **867125083118387**. (hereinafter be referred to as “the seized mobile” for the sake of brevity and convenience). The said mobile is seized by the Police Station, Kurha in Crime No. 216/2026 for the offences punishable under Sections 12 (a) of the Maharashtra Gambling Prevention Act, 1887.

2. Says of I.O. and the learned A. P. P. were called. The investigating officer and the learned A. P. P. filed their says. The I.O. filed say and submitted he having no objection to release the seized mobile. The learned A. P. P. strongly opposed the application. Perused the application, say and the record. Heard the learned A. P. P. and the learned advocate Shri. A. P. Lande for the applicant.

3. The learned advocate Shri. A. P. Lande for the applicant submitted that the seized mobile is essential for day to day work of the applicant. The seized mobile may get damage in the Police Station, Kurha. He prayed to allow the application.

4. Perused the application. In support of his contention, the applicant has filed original copy of mobile purchase receipt, verified copy his aadhaar card, FIR and along with his affidavit for the purpose of establishing the ownership and his identity. After perusing the verified copy of mobile purchase receipt, verified copies of documents placed on record, it prima facie appears that the seized mobile belongs to the applicant.

5. In the present application, it is clear from the documents filed on record that the applicant is the absolute owner of the seized mobile and therefore, he is prima facie entitled to the interim possession of the seized mobile. If the seized mobile is kept at the police station, Kurha for a long time, it may get damage and cause loss to the applicant.

6. The reasons mentioned by learned A. P. P. to opposed the application are not satisfactory. On the other hand, the applicant is ready to furnish bond as directed by the court and also ready to present the seized mobile before the court as and when required. Therefore, taking in view these circumstances, there would be no inconvenience caused to the police during the investigation, if temporary possession of the seized mobile is granted to the applicant. The applicant is ready to abide by all the conditions which may be imposed by the Court, therefore, it will be fruitless to keep the seized mobile phone at Police Station, Kurha.

7. Considering the facts and documents placed on record, the present application has merits and it deserves to be allowed. Hence, the following order is passed.

ORDER

1. The application is allowed as under.
2. The seized mobile **VIVO T4X** bearing IMEI No. **867125083118387** be handed over to the applicant on executing indemnity bond of **Rs. 14,000/-** (Forty Thousand Rupees only), in the Police Station, Kurha, District – Amravati.
3. The applicant shall undertake that he shall not transfer, pledge or by any other way alienate the said mobile till the final disposal of the **Crime No. 216/2026** of the Police Station, Kurha, District - Amravati and criminal case incidental thereof.
4. The applicant shall produce the said mobile as and when required by the court.
5. The Police Station, Kurha, District - Amravati is directed to prepare necessary panchanama of the mobile at the time of handing over it to the applicant.
6. The indemnity bond, detail panchanama and at least two photographs of mobile shall be filed along with charge-sheet of **Crime No. 216/2026** registered which Police Station, Kurha, District - Amravati.
7. Order be informed accordingly to the Police Station, Kurha, District - Amravati.

(Order is dictated and pronounced in the open Court)

Sd/-

(Rohini V. Manore)

Judicial Magistrate First Class, Teosa.
Tq. Teosa, District – Amravati.

Date : **15.06.2026.**
Place : **Teosa**