

<u>CNR NO :- MHAM170007522026</u>	<u>Other Misc.Cri.Appln No. 54/2026</u>
	Akshay Kartik Kalsarpe -vs- State through Police Station Officer, Police Station, Teosa

ORDER BELOW EXH.1
(Passed on 22.07.2026)

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., **Iphone 15** bearing IMEI No. 357205928262678 and **VIVO V30 PRO** bearing IMEI No. 867940067545375 (hereinafter be referred to as “the seized mobile” for the sake of brevity and convenience). The said mobile is seized by the Police Station, Teosa in Crime No. 266/2026 for the offences punishable under Section 5, 5C, 9, 9A of the Maharashtra Animal Preservation Act, 1976.

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. I.O. and 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 mobiles are essential for day to day work of the applicant. The seized mobiles may get damage in the Police Station, Teosa. He prayed to allow the application.

4. Perused the application. In support of his contention, the applicant has filed verified copy of both mobile purchase receipts, his driving license, copy of FIR and along with his affidavit for the purpose of establishing the ownership and his identity. After perusing the verified copies of documents placed on record, it prima facie appears that the seized both 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 both mobile and therefore, he is prima facie entitled to the interim possession of the seized both mobile. If the seized both mobile is kept at the police station, Teosa 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 both 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 both 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 both mobile phone at Police Station, Teosa.

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 **Iphone 15** bearing IMEI No.**357205928262678** and **VIVO V30 PRO** bearing IMEI No. **867940067545375** be handed over to the applicant on executing indemnity bond of **Rs. 1,00,000/-** (One Lakh Rupees only), in the Police Station, Teosa, District – Amravati.
3. The applicant shall undertake that he shall not transfer, pledge or by any other way alienate the said both mobile phones till the final disposal of the **Crime No. 266/2026** of the Police Station, Teosa, District - Amravati and criminal case incidental thereof.
4. The applicant shall produce the said both mobile as and when required by the court.
5. The Police Station, Teosa, District - Amravati is directed to prepare necessary panchanama of the both mobile at the time of handing over it to the applicant.
6. The indemnity bond, detail panchanama and at least two photographs of both mobile shall be filed along with charge-sheet of **Crime No. 266/2026** registered which Police Station, Teosa, District - Amravati.
7. Order be informed accordingly to the Police Station, Teosa, District - Amravati.

(Order is dictated and pronounced in the open Court)

Sd/-

(Rohini V. Manore)

Date : **22.07.2026.**

Place : **Teosa**

Judicial Magistrate First Class, Teosa.

Tq. Teosa, District – Amravati.

CERTIFICATE

"I affirm that the contents of this P.D.F. file Order are same word to word, as per original Order."

Name of Stenographer	:	Vijay K. Kaware
Name of Court	:	Civil and Criminal Court, Teosa
Order dictated on	:	22.07.2026
Transcript ready on	:	22.07.2026
Order Signed by		
Presiding Officer on	:	22.07.2026
Order uploaded on	:	22.07.2026