

MHAU030002182025



R.C.C./43/2025

The State of Maharashtra Vs. Amitkumar Shahaji Bhange

ORDER BELOW EXH.13

The applicant Hamida Khatun Taufik Ahemad filed this application for return of property under Section 457 of the Code of Criminal Procedure (under Section 503 of the BNSS) mentioned in the list, which is annexed with the application.

2. The applicant contended that, she lodged complaint against accused with Kranti Chowk Police Station and on that basis offence was registered vide Crime No.195/2023 under Section 380, 454 read with Section 34 of the IPC. During investigation, police seized some articles mentioned in the list, which were using in daily life. The said articles were used by applicant in kitchen. As the said articles were seized, applicant suffered inconvenience. The applicant further stated that, said articles as well as cash amount of Rs.50,000/-, which was mentioned in the FIR, may be handover to the applicant. Hence, she filed this application for interim custody of aforesaid properties/articles.

3. The A.P.P. and I.O. filed their say and prayed for necessary order may kindly be passed.

4. In support of her contention, the applicant has filed the documents with list Exh.14 i.e. Copies of User Manual and Tax Invoice of Refrigerator, Gas Card and Invoice, Taxmo Motor's documents, documents in respect of Mixure, Fan etc.

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5. On perusal of record especially muddemal receipt, it appears that, one Samsung Fridge, one Gas Stove/Shegdi, One Iron Grain Storage Bin/Kothi, One Rack and Domestic Articles for daily uses, were seized by I.O. during investigation. The applicant has filed the documents/bills in respect of aforesaid articles. The other side has not objected to return the same in the custody of the applicant. On perusal of list of article filed by applicant, it appears that applicant has claimed many articles, but on perusal of record, it reflects that only aforementioned articles were recovered or seized by I.O. during investigation. It also appears from record that, no such cash amount of Rs.50,000/- has been recovered or seized by I.O.. Therefore, claim of the applicant regarding cash amount of remaining articles, which were not recovered, is not acceptable.

6. In the light of aforesaid facts and circumstances, the applicant is entitled to get interim custody of the one Samsung Fridge, one Gas Stove/Shegdi, One Iron Grain storage Bin/Kothi, One Rack and Domestic Articles. If the aforesaid articles are kept unused, the same will be depreciated and due to heat and cold, the efficiency of the said articles will be affected. Hence, I pass the following order -

ORDER

- 1) The application is allowed with respect to the following articles.
- 2) The property/articles i.e. one Samsung Fridge, one Gas Stove/Shegdi, One Iron Grain Storage Bin/Kothi, One Rack and Domestic Articles be handed over to the applicant Hamida Khatun Taufik Ahemad till the conclusion of the trial, on the applicant executing indemnity bond of Rs.50,000/-.

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- 3) The applicant shall produce the said articles before the court as and when required by the court to do so during trial or at any time thereafter.
- 4) The applicant shall not change it's appearance in any manner without the leave of the court.
- 5) Kranti Chowk Police Station, Aurangabad is directed to take a colored photograph of the said articles displaying particulars if any appearing on it and shall submit in the Court. Expenses of the photograph shall be born by the applicant.

(Pronounced in the open court.)

Date : 30/06/2026.

(R. S. Jambotkar)
Chief Judicial Magistrate
Aurangabad.

E-filing.