

State Vs. Maroti
CNR MHBU20-000590-2023

ORDER BELOW EXH.3

This is an application under Section 457 of Code of Criminal Procedure filed by applicant for handing over interim custody of seized golden ornaments of deceased on supratnama.

2] According to applicant, in Crime No.391/2023, police station Mehkar seized golden beads and golden ornament locally called Panadi from the accused. Applicant submitted that, he is owner of seized golden ornaments. It is also submitted by applicant that, accused committed murder of mother of applicant and took away said ornaments by breaking the neckless. Applicant further submitted that, if the custody of seized golden ornaments is handed over to him, he will not sell the same or change nature thereof. Lastly, applicant prayed to release the seized golden ornaments on supratnama.

3] After issuance of notice, investigating officer filed reply and submitted his no-objection on the condition that, applicant/accused shall produce documents of the seized property.

4] Accused also filed his say and submitted his no objection for handing over custody of seized property to

applicant.

5] Heard both the sides. Perused document filed on record. Applicant has filed original bill issued by Shri Sham Jewellers, Mehkar, which show that, on 22-09-2014, applicant has purchased bead and Panadi worth Rs.5580/-. It is also to be noted that, in the present case murder of mother of applicant has been committed and applicant has lodged report of the same. In the F.I.R. applicant/informant specifically stated that, accused taken away neckless of his mother which included golden bead and panadi. So, prima facie it appears that, applicant is the owner of seized golden ornaments. In this situation, it will be proper to give interim custody of seized golden ornaments to applicant. The production of seized golden ornaments before court as and when required can be secured by imposing certain conditions while releasing the same on supratnama. Hence, I pass the following order.

ORDER

1. Application is allowed.
2. Interim custody of seized golden beads and Panadi, in Crime No.391/2023 registered at Police Station, Mehkar be handed over to applicant on supratnama on executing indemnity bond of Rs.25,000/- by the applicant.
3. Police Station Officer, Mehkar is directed to obtain photo-graphs of seized golden ornaments and prepared

panchanama regarding giving interim custody of seized golden ornaments and submit it to the court.

4. Applicant shall not sale out, change the nature or create charge on the seized golden ornaments till final disposal of the case.

5. Applicant shall produce seized golden ornaments as and when asked to do so.

6. Supratnama be executed before investigating officer of present crime.

Dt.04-07-2024

(S.M.Chandgade),
Additional Sessions Judge,
Mehkar, District Buldana

Certificate

“I affirm that, the contents of this PDF file order are same word for word as per original order.”

Name of Steno :- S.E.Chaudhari, Stenographer Grade-1,

Name of Court :- Court of District Judge-1 and A.S.J.Mehkar

Date of order :- 04-07-2024

Order uploaded on :- 05-07-2024