

IN THE COURT OF ADDITIONAL SESSIONS JUDGE, CHANDRAPUR
CRIMINAL APPEAL No.62/2022

Ku.Swati Khushal Devgade ... **Applicant**

..Versus..

State of Maharashtra ... **Non-applicant.**

Order below Exh.19

The applicant has made this application u/s. 451 of Cr.P.C. for return of property viz. Gold ring weighing 03 grams.

2] The facts in brief for making this application are as follows :

The Ramnagar Police Station, Chandrapur has registered an FIR bearing No.230/2015 for the offence punishable u/Ss. 420, 506 r/w 34 of IPC against appellant and a person namely Madhukar Katkar. During the investigation of said crime, the I.O. has seized aforesaid Gold ring weighing 03 grams. The applicant claims that she is the owner/possessor of the aforesaid seized property. Therefore, the applicant has made this application for releasing the same on supurtnama.

3] The Investigating Officer has given no objection for returning the aforesaid seized property to the applicant. The Ld. APP for the State /respondent and Ld.Advocate for the appellant have have resisted the application by filing their say.

4] Perused the application, say thereon submitted by the

I.O., the Ld. APP for the State and Ld.Advocate for the appellant. Heard Ld. Advocate for the applicant, Ld.Advocate for the appellant and Ld. APP for the State. Prima-facie it comes to my knowledge that the applicant is a possessor/owner of the aforesaid seized property. No purpose would be served to keep pending the said property in the custody of police till the disposal of appeal. I find sufficient reason to release the said property on supratnama with conditions in favour of the applicant. Hence, I proceed to pass the following order.

ORDER

- 1] The application is hereby allowed.
- 2] The seized property viz. a Gold ring weighing 03 grams seized in Crime No. 230/2015 for the offence punishable u/Ss. 420, 506 r/w 34 of IPC registered with Ramnagar Police Station, Chandrapur, be returned to applicant Ku.Swati Khushal Devgade on the supurtnama, on furnishing a bond of Rs.30,000/- (Rupees Thirty thousand Only).
- 3] The applicant is directed not to change the original shape, size, etc. of the aforesaid property till the disposal of appeal.
- 4] She is further directed not to dispose of the aforesaid property by sell, transfer or to create third party interest in it by any other mode till the disposal of appeal.
- 5] Inform the concerned police station accordingly.

Chandrapur.
Date : 30.06.2025

(P. M. Gupta)
Additional Sessions Judge,
Chandrapur.