

CNR No. MHCH160006812026



ORDER PASSED BELOW EXH.1

The applicant namely Rutik @ Ritik Bharat Atram, R/o. Bodkha, Tah. Warora and Dist. Chandrapur has filed present application under Section 503 of the Bhartiya Nagarik Suraksha Sanhita for return of Redmi A3S bearing IMEI No. 866024078448704 and 866024078448712 registered with Shegaon Police Station, Shegaon (Bu.), Tah. Warora Crime No. 94/2026 for the offence punishable under Section 65(a), 83 of Maharashtra Prohibition Act.

2. By this application, the applicant has contended that, the said mobile is owned by him. The said Muddemal is seized in Police Station Shegaon(Bu.), Tq.Warora, Crime No. 94/2026. He further submitted that the seized mobile if not released and kept laying in the Police Station Shegaon(Bu.), it may be damaged.

3. The said Redmi A3X bearing IMEI No. 866024078448704 and 866024078448712 is owned by the applicant. He has also contented that he will abide all the terms and conditions imposed by this Court while releasing the same. Thus, he prayed to release the seized mobile on Supratnama. The instant application is also supported by an affidavit.

4. Investigating officer has filed his say and opposed the said application. The learned A.P.P. has filed his say. I have perused the say of the learned A.P.P. he has strongly opposed the application of the applicant.

5. I have perused the instant application. It is seen that, the above mobile has been seized by the police station in the aforesaid crime. The applicant has filed verified copy of Mobile Bill, verified copy of Aadhar Card of applicant and copy of F.I.R. From the said document, it appears that applicant is the owner of the seized mobile. Therefore, applicant is entitled to get its interim custody.

6. On perusal of record it appears that the applicant deposed on oath in present application that, he is a owner of seized mobile.

7. The Hon'ble Supreme Court gives direction in **Sunderbhai Ambalal Desai and C.M. Mudaliar Vs. Respondent: State of Gujarat AIR, 2003, SC 638** For release of muddemal property. Thus, having considered above discussed aspect, it is seen that applicant being owner of the seized mobile, is entitled to get its interim custody. No purpose would be served by keeping the seized mobile in the Police Station, Shegaon(Bu.). In this view of matter, I proceed to pass the following order.

ORDER

- 1 The application is allowed.
2. The Investigating Officer, conducting investigation in Crime No. 94/2026 of Police Station Shegaon(Bu.), is directed to return the seized mobile Redmi A3X bearing IMEI No. 866024078448704 and 866024078448712 to the applicant on his executing indemnity bond to the tune of Rs. 9,000/- (Rs. Nine Thousand only) after due verification and identification of the applicant.

3. The applicant shall submit the indemnity bond before the concerned Investigating Officer.
4. The applicant shall not alienate the said mobile to anybody until further orders and shall produce it before the Court as and when directed by the Court. He shall not change its nature. He shall co-operate the Investigating Officer in investigation. He shall give copies of documents of vehicle to investigating officer.
5. Investigating Officer shall conduct detailed panchnama of the seized mobile with colour photographs at the expenses of applicant. The indemnity bond duly executed by the applicant, the panchnama, the photographs be sent to this Court along with Charge-sheet.
6. Issue letter to the Investigating Officer, Police Station Shegaon, Tq. Warora, Dist. Chandrapur.

Date : 01/04/2026.

(S.G. Pande/Yawalkar)
Judicial Magistrate First Class,
(Court No.1), Warora.

C E R T I F I C A T E

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

Name of Stenographer	:-	C. N. Lohakare,
Court name	:-	Court of J.M.F.C, Warora, Dist. Chandrapur.
Date of order	:-	01/04/2026
Order signed by the Presiding officer on	:-	01/04/2026
Order uploaded on	:-	01/04/2026