

CNR:MHCH180002792026



O.M.C.A No.25/2026  
(Raju...v/s... State)  
O.M.C.A No.26/2026  
(Raju...v/s... State)

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**:: COMMON ORDER BELOW EXH-01 ::**

Both these applications have emerged out of one and same crime number, file by same applicant vide Sections 497 and 503 of B.N.S.S., 2023 and therefore taken for disposal together by way of common order, in connection with offences punishable under Sections 3 and 25 Arms Act, 1959, by which the applicant is claiming return of mobile handsets of the company OPPO A78, **IMEI No. 866194068749013** and OPPO A3X **IMEI No. 862332078632118** seized by P. S. Korpana.

2. The applicant contended that he is the owner of both mobile handset and the Police Station Korpana has seized it from accused persons. He contended that if the mobile handset are released then he will abide all the terms and conditions which will be imposed on him. Hence, prayed to release the same.

3. The I.O. has filed his say and asserted that the mobile is the part of evidence and therefore, he prayed to reject the applications.

4. The learned Special P. P. has filed her say and opposed the application.

5. It is evident from record that the applicant who claimed himself to be owner of mobile handsets has filed copy of bill of both mobile handset which are seized in the crime, which shows that the OPPO, **IMEI No. 866194068749013** and OPPO A3X **IMEI No. 862332078632118** are in the name of applicant and hence, prima-facie it appears that he is owner of mobile. The investigating officer contended that the mobile is part of investigation, however, the same appears to be general statement in the light of allegations made in the FIR. When the FIR is analyzed, it is found

that the offence is circumscribed to the possession of arms and certainly it cannot be said that the mobile are part of investigation.

6. The mobile handset comes within the purview of valuable property and the law warrants that the movable property of such nature particularly seized mobile in the crime needs to be released as soon as possible. The mobile if remain unused it may hamper the functioning of mobile and its value gets diminished and, therefore, the mobiles are ordered to be released.

7. Consequently the following order.

**:: ORDER ::**

1. The application is hereby allowed subject to following conditions.
  - i. The mobile handset be returned to the applicant namely Raju Bapurao Shinde of mobile handsets of the company OPPO, **IMEI No. 866194068749013** and **OPPO A3X IMEI No. 862332078632118** on his executing indemnity bond of Rs. 36,000/- (Rupees Thirty Six Thousands Only).
  - ii. He shall produce the mobile handsets as and when directed by the Court.
  - iii. He shall not alienate or create any third party interest on mobile handset till the termination of trial.
  - iv. He shall not use the mobile handset in commission of any other offence.
  - v. He shall not change the nature of the mobile handset.
  - vi. He shall produce the mobile handset as and when directed by the Court.
  - vii. He shall not alienate or create any third party interest on mobile handset till the termination of trial.
  - viii. He shall not use the mobile handset in commission of any other

- . offence.
- 4. The applicant shall execute the bond.
- 5. This order and bond shall be kept with the charge-sheet.
- 6. True copy of this order be kept with O.M.Cri.A. No.25/2026.

Sd./-

Korpana.  
Date: 18.03.2026

( Rahul A. Rannaware )  
Judicial Magistrate F. C., Korpana