

CNR:MHCH180003932026



:: ORDER BELOW EXH-01 ::

The application is filed vide Sections 497 and 503 of B.N.S.S., 2023 by applicant/accused No.2 in connection with offences punishable under Sections 5(A), 5(B), 6 and 9 of the Maharashtra Animal Preservation Act, Section 11 (1)(d) of the Prevention of Cruelty to Animal Act, and Section 184 of the Motor Vehicles Act, by which the applicant/accused No.2 is claiming return of mobile handset of the company Samsung A038 (A03S), **IMEI No. 354586854377488** seized by P. S. Korpana.

2. The applicant/accused No.2 contended that he is the owner of the mobile handset and the Police Station Korpana has seized it from him. He contended that if the mobile handset is released then he will abide all the terms and conditions which will be imposed on him. Hence, prayed to release the same.

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

4. The I.O. has filed his say and opposed the application.

5. It is evident from record that the applicant/accused No.2 who claimed himself to be owner of mobile handset has filed copy of bill of mobile handset on record, which shows that the Samsung A038 (A03S), **IMEI No. 354586854377488** is in the name of applicant/accused No.2 and hence, he is owner of mobile. Furthermore, the FIR itself depicts that the mobile handset has been seized from the applicant/accused No.2. Since, the mobile handset prima-facie appears to be seized being belonging to the applicant/accused no.2 the same needs to be released.

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 then the worth and its value gets diminished and, therefore, the mobile is 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/accused No.2 namely Vikas Namdeo Junghari of mobile handset of the company Samsung A038 (A03S), **IMEI No. 354586854377488** on his executing indemnity bond of Rs. 11,000/- (Rupees Eleven Thousands Only).
 - ii. He shall produce the mobile handset 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.
2. The applicant shall execute the bond.
3. This order and bond shall be kept with the charge-sheet.

Korpana.
Date: 24.03.2026

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