

**IN THE COURT OF DISTRICT JUDGE-1, & ASJ, GONDIA.**

**SESSIONS TRIAL NO. 115/2022.**

**(CNR NO.MHGO01001253-2022)**

**State, PSO, Ramnagar -Vs- Ankaj Rane +3**

**ORDER BELOW EXH. 23.**

**(Passed on this 06<sup>nd</sup> day of October, 2022)**

This is an application filed by the applicant/accused Vaibhav Gangaram Mule under Sec.451 of Cr.PC. for releasing the Cell-Phone Model No.G781BZGG on suprtnama.

2] The applicant submits that his Cell-Phone Model No.G781BZGG was seized by Police Station, Ramnagar in Crime No. 139/2022 for alleged offence punishable under Sec. 307, 323, 504, 506, 143, 144, 147, 148, 149 of I.P.C. He further submits that he is the owner of said Cell-phone. He is accused in the present crime and he has falsely implicated. The investigation in regards to the Cell-phone is completed. He is bonafide owner of the said Cell-phone and wants the said Cell-phone for his daily work. He is ready to abide any condition. He has placed on record the documents along with list of document Exh.24 which are in respect of adhar card and Cell-phone tax invoice. It shows the name of applicant as the owner of the said Cell-phone bearing Model No.G781BZGG IMEI No.352659951398202.

3] I.O. has filed reply at Exh.30 and has opposed the application on the ground that applicant may change appearance of the mobile. He may not produce the said mobile at the time of trial. The copies of CDR are yet to be received. He has prayed for rejection of application.

4] Learned APP Shri Pardhi has also filed say and opposed the application on the ground that the alleged property seized for the purpose of evidence. If released, it may be disposed of. He has prayed for rejection of application.

5] Perused the documents on record. The applicant is the owner of the said Cell-phone. The investigation is completed and charge-sheet is filed. The CDR is awaited which in no way can be hampered, if the Cell-phone is handed over to the applicant/accused. No purpose will be served by keeping idle the said Cell-phone. Appropriate conditions can be imposed to produce and preserve the said evidence. Hence, I pass following order.

### **ORDER**

- 1] Application (Exh.23) is allowed.
- 2] The Cell-phone/Mobile bearing Model No.G781BZGG IMEI No.352659951398202 be released on executing supratnama bond of Rs.50,000/- on the following conditions;
  - (i) The applicant shall not change the colour or appearance of the Cell-phone/Mobile.
  - (ii) The applicant shall not sell, alienate or transfer the said Cell-phone/Mobile without prior permission of the Court.
  - (iii) The applicant shall produce the said Cell-phone/Mobile as and when directed by the Court.
- 3] Application is disposed of accordingly.

Gondia.  
Dated: 06.10.2022.

Sd/-\*  
(Adil M. Khan)  
District Judge-1 & ASJ,  
**Gondia.**