

MHLA090004622026



**ORDER PASSED BELOW EXH.1**

This is an application filed by applicant namely Ramesh Bhujangrao Biradar for releasing amount of Rs.90,000/- as per provisions of Section 503 of B.N.S.S.

**2.** It is the contention of the applicant that, gold ornaments and cash of Rs.50,000/- were stolen by unknown person. Hence, he lodged complaint with Udgir Rural Police Station vide C.R. No.19/2026 for offence punishable U/s.331(1), 305(a) of B.N.S. During investigation, police have seized amount of Rs.90,000/-. Amount of Rs.50,000/- is seized which was stolen by the accused and remaining amount of Rs.40,000/- was received by selling gold ornaments. The said amount is in the custody of Rural Police Station, Udgir. He is entitled for the same.

**3.** Say of APP and I.O. was called. They have strongly resisted the application. The I.O. submitted that amount of Rs.90,000/- has been seized during investigation. Out of said amount, Rs.40,000/- was received after selling gold ornaments. He has resisted

the application on the ground that the applicant has not produced purchase receipts of gold ornaments despite repeated demand. Learned APP also strongly resisted the application on the ground that receipt of gold needs to be verified. The above contentions needs to be taken into consideration while passing the order.

**4.** Perused application, say and the record. Heard learned APP for the state and learned advocate for the applicant.

**5.** Upon perusal of record it appears that Crime Register No.19/2026 came to be registered with Rural Police Station, Udgir for the offence punishable U/s.331(1), 305(a) of the B.N.S. on the basis of report lodged by Ramesh Bhujangrao Biradar. It is contentions of the applicant that gold ornaments and amount of Rs.50,000/- have been stolen by unknown person. On the basis of his report, police have seized Rs.90,000/- from the accused. Out of said amount, Rs.40,000/- has been received by the accused by selling gold ornaments. Remaining amount of Rs.50,000/- is stolen property of the applicant.

**6.** From perusal of record it appears that it is not case of the applicant that amount of Rs.90,000/- was stolen by accused. According to him, only Rs.50,000/-

was stolen and remaining Rs.40,000/- has been received by the accused by selling gold ornaments. However, the applicant has not produced purchase receipts of all gold ornaments. He also failed to file affidavit regarding the same. Here it may be noted that the applicant has produced purchase receipt of gold chain only. But said receipt does not corroborate the contention of the applicant regarding its weight as mentioned in first information report. The said receipt is also not in the name of applicant. Moreover, the applicant has not added the person from whose possession said amount has been recovered as party to the application. His say is also required in order to decide this application on merit. In above fact and circumstances, the application deserves to be rejected. Hence, I pass following order;

**ORDER**

1. Application stands rejected.
2. Application is disposed of accordingly.

Udgir  
Date:- 24/03/2026

**(K. A. Yadav)**  
Judicial Magistrate F.C.,  
(Court No.2) Udgir.