

IN THE COURT OF THE ADDL. CHIEF JUDICIAL MAGISTRATE,
5TH COURT, DADAR (AT SEWREE), MUMBAI.
C. C. NO.1591/M/2026

Ismail Ahmad Ali ... Applicant.

Versus

The State (At the instance of
Dadar Police Station, Mumbai.) ... Respondent.

ORDER BELOW APPLICATION FOR RETURN OF PROPERTY

This is an application filed under Section 503 of the Bhartiya Nyaya Sanhita. Perused the application, gone through the available record. I have heard the Learned Advocate representing applicant and the Learned A. P. P.

2. By way of this application the applicant is seeking temporary custody of 32 ladies clothes seized by Dadar Police Station, Mumbai, in C. R. No.70/2026 for the offence punishable under Section 303(2) of the Bhartiya Nyaya Sanhita.

3. The say of Investigating Officer and Learned A. P. P. was called. The Learned A. P. P. and the I. O. have submitted that, they have no objection to release the said vehicle on certain conditions.

4. This application is supported with affidavit of the applicant. The applicant is the informant in C. R. No.70/2026. He has filed on record the copy of the F. I. R. and his Aadhar card. The seized muddemal property came to be seized at the instance of accused under memorandum panchanama. The record shows that applicant is the informant in C. R. No.70/2026 and owner of said clothes. Therefore, certainly being the custodian of the clothes, the applicant is entitled to get possession of the same. Therefore, considering the facts and circumstances, the applicant is entitled to get possession of the same.


4/7/26

Therefore, there is no legal impediment to handover the interim custody of the muddemal property to the applicant. Hence, I pass the following order :-

ORDER

- i. The application is allowed.
- ii. The interim custody of seized muddemal i.e. 32 ladies clothes seized by Dadar Police Station, Mumbai, in C. R. No.70/2026, be given to the applicant Ismail Ahmad Ali upon his executing indemnity bond of Rs.86,000/- (Rs. Eighty Six Thousand) with further condition that, he shall at his own costs take photographs of the said muddemal in police station and submit the said photos before the I. O. before taking custody.
- iii. The Investigating Officer is directed to submit all the relevant papers of the seized muddemal along with the report of C. R. No.70/2026 and he shall mention in it about the return of muddemal property to the applicant.
- iv. Issue letter to the concerned police station accordingly.


(Nilesh N. Dhend)

Date : 04/07/2026.

Judicial Magistrate, First Class,
62nd Court, I/c. 5th Court, Dadar, Mumbai.