

IN THE COURT OF JUDICIAL MAGISTRATE, FIRST CLASS,
67th COURT, BORIVALI, MUMBAI

C.C. NO.847/N/2026
Goregaon Police Station

ORDER BELOW EXH.1

Perused application filed by the applicant Mr. Mohanlal Bhawarlal Jain, say of I.O.. In response, IO has filed his say and given no objection to return the property mentioned in the application of **gold lagad of 3.430 grams worth Rs. 24,000/-, one gold ring of 03.830 grams worth of Rs. 24,000/-, total worth Rs. 48,000/-**. The applicant namely Mr. Mohanlal Bhawarlal Jain is seeking custody of abovesaid property of total worth **Rs. 48,000/-** seized in CR. No. 459/2026 punishable under section 303(2) of BNS, 2023 by Dindoshi Police Station is claimed by applicant. Application is supported by affidavit of applicant as well as copy of FIR and Aadhar card. He has filed undertaking to produced the same as and when required by this Court.

2. According to the prosecution, during investigation above said article property is recovered. Except applicant no one claimed interim custody of seized property. On perusal of document, it appears that applicant is entitled for the possession of the same. If articles are lying in police station, it would be damage or lost. Hence, as per ratio laid down in the case of **Sunderbhai V/s. State of Gujarat** application deserves to be allowed. Therefore, I allow the said application. Hence, I pass following order :-

ORDER

Interim custody of **abovesaid property** be handed over to the applicant namely Mr. Mohanlal Bhawarlal Jain which is seized in

CR. No. 459/2026 under section 303(2) of BNS, 2023 by Dindoshi Police Station be returned to the applicant viz. Mr. Mohanlal Bhawarlal Jain on execution of Supurtnama of Rs. **Rs. 48,000/- (Rs. Forty Eight Thousand Only)** with condition that applicant shall produce the same as and when required by the court during the trial and shall not change, sell, transfer etc; till disposal of the case.

2. I.O. shall obtain certificate of valuer before handing over the property to the applicant and prepare detail panchanama.

3. Inform Police Station Officer accordingly.

- sd/-

(Abhay D. Ghuge)
Judicial Magistrate (First Class),
67th Court, Borivali, Mumbai.

Date : 12.06.2026

ppk