



**In the Court of Judge, Special Court NDPS Act,
Nagpur.**

Presided over by
Shri M. S. Ganorkar.

Special Case No.90 of 2026.

CNR No: MHNG010015932026..

Crime No.972 of 2025, P.S. Lakadganj.

State of Maharashtra.
(Through P.S.Lakadganj)

V/S

Tushar Agrawal and ors.

Applicant - Deepak Ghanshyamdas Amarnani.

ORDER Below Exh.13

(Passed on this 5th May 2026)

1. This is an application for releasing mobile handset SAMSUNG GALAXY S24 ULTRA AND APPLE IPHONE 15 PLUS Company as a interim custody under Section 503 of the Bhartiya Nagarik Suraksha Sanhita.
2. Heard learned Advocate for Applicant and Learned A.P.P. Perused record.
3. In the light of this facts emerged, submissions by Applicant and material on record, following points arise for determination before this Court. The said points and findings thereon which follow reasons as:

Point For Determination.

Sr. No.	Point	Finding
1.	Whether the Applicant made out case as to release mobile handset, as a interim custody in Application given set of facts?	...No.
2.	What order?	...Application rejected as per final order.

REASONS***As to Applicant point no.1:***

4. Applicant filed instant application for custody of mobile handset SAMSUNG GALAXY S24 ULTRA AND APPLE IPHONE 15 PLUS Company seized by police in the crime which case is pending for the offence punishable under Section 8(c), 22(b) of N.D.P.S. Act vide Crime No.972/2025, registered at Police Station Lakadganj, Nagpur. Applicant is owner of this mobile and it is necessary for him day to day use. Applicant is ready to abide by all conditions and produce said mobile, if interim custody is allowed. Applicant has filed on record purchased bill of mobile, which shows that Applicant is owner of aforesaid mobile. Keeping aforesaid seized mobile unused in police station, will deteriorate its condition. Hence, prayed to release seized mobile.
5. Learned APP opposed application and submitted that a serious offence has been committed by Applicant and mobile is material piece of evidence and aforesaid mobile has been seized from accused and if released on bond, it will be again used for similar offence and Therefore, application be rejected.
6. Undoubtedly, in this matter charge-sheet is filed by the prosecution and all accused are facing prosecution for aforesaid offence and

property came to be seized during course of investigation. It appears that mobile used by Accused is important piece of evidence containing electronic record, it cannot be handed over on interim custody to Applicant applicant. Therefore, I pass Applicant following order :-

ORDER

1. Application (Exh.13) is hereby rejected.

Dictated and pronounced in open Court.

Nagpur

Dated : 5th May 2026.

(Manish S. Ganorkar)

Judge Special Court (N.D.P.S.Court)

Nagpur