


MHNG030065932026 	Cri. M.A.No. 1158/2026 Husain Khan Sarfaraj Khan Vs. State (P.S. Nandanvan)
---	---

**Order Below Exh. 1**  
(Passed on 25.03.2026)

1. This is an application filed by the applicant **Husain Khan Sarfaraj Khan** for releasing his **Mobile Handset VIVO Company having IMEI No.8634050618765451 and 863405061876444**, in relation to Crime No. 597/2025, u/sec. 5 and 15 of the Environment (Protection) Act and Section 223 of the BNS, 2023 registered in P. S. Nandanwan.
2. Say of Ld. A.P P & I.O. were called out.
3. I have heard Ld. Advocate for the applicant and APP for the prosecution at a considerable length. I have also gone through with documents available on record.
4. The applicant submitted that he is resident of Nagpur. He is the owner of **Mobile Handset VIVO Company having IMEI No.8634050618765451 and 863405061876444**. He has submitted that he is the only rightful owner of the aforesaid mobile handset.
5. The applicant has filed verified copy of Tax Invoice of Mobile handset, copy of Aadhar Card and copy of FIR. It prima-facie appears that the above mentioned mobile phone lies on the name of present applicant. It is also important to note that no other person except the present applicant has claimed the said mobile phone till today. Further, if the said mobile is not released then it may cause damage and its condition may deteriorate. Under such circumstances, keeping the said mobile with the police machinery would not serve any purpose.
6. Therefore, considering all these facts and documents available on record, in my view, the said mobile phone can be released upon

imposing certain conditions. Resultantly, I proceed to pass following order.

**ORDER**

1. The application is allowed.
2. **Mobile Handset VIVO Company having IMEI No.8634050618765451 and 863405061876444** seized in Crime No. 597/2025, u/sec. 5 and 15 of the Environment (Protection) Act and Section 223 of the BNS, 2023 registered in P. S. Nandanwan be given to the applicant **Husain Khan Sarfaraj Khan** upon executing indemnity bond of Rs. 30,000/- (Rs. Thirty Thousand only) from him. He shall give such bond to the Investigating Officer / concern P. S.O.
3. Applicant shall not sell, transfer or alienate the aforesaid mobile phone without prior permission of this Court as well as he shall not change its nature till disposal of the matter.
4. Applicant is directed to produce the mobile phone as and when directed by this Court.
5. The Police Officer concerned is directed to prepare detailed panchanama of the mobile phone by taking its photographs and to file the same in the present matter.
6. Applicant shall further submit all the necessary documents regarding the mobile phone with the police.
7. The Investigating Officer / Concern P.S.O. is directed to release the mobile phone upon verification of IMEI Number, as per documents submitted by applicant.

Nagpur.  
Date : 25.03.2026

(V. S. Raut)  
Judicial Magistrate First Class,  
Court No. 2, Nagpur.