

**MHNG120012232020**



**ORDER BELOW EXH. 1 IN SCC NO. 467/2020**

**(Cr. No. 398/2020)**

( Passed on this 28<sup>th</sup> January- 2021 )

Directions of the Hon'ble Bombay High Court and the Principle District and Sessions Court Nagpur regarding prevention of *COVID-19* has been duly followed. This is an application filed by the applicant namely- Ujwal D/o Diliprao Darokar, U/s. 457 of Cr. P.C. 1973 for releasing seized property i.e. Realme C-2 mobile bearing IMEI No. 864229045042876 and 864229045042868 stating his ownership thereon. It is the contention of the applicant that further custody of the seized property with the police will cause heavy loss to him. Chargesheet is already filed on 21-11-2020 in this crime. Learned APP also filed their say and opposed to release the mobile. Argument heard by Ld. Adv. Shri. C. B. Bagade, for applicant. Documents are supporting to the case of the applicants. In view of the directions of the Hon'ble Supreme Court in the matter of *Sunderbhai Ambalal Desai V/s. State of Gujrat (A.I.R. 2003 Supreme Court 638)* and the aforesaid reasons, I pass the following order.

**ORDER**

- 1] Muddemal property seized in Cr. No. 398/2020 of P.S. Narkhed, Tq. Narkhed, Dist. Nagpur i.e. Realme C-2 mobile bearing IMEI No. 864229045042876 and 864229045042868 be given in the interim custody of the applicant– Ujwal D/o Diliprao Darokar, R/o. Sawargaon, Tq. Narkhed, Dist. Nagpur on execution of indemnity bond of Rs. 6,000/- (Six Thousand Rupees Only) and on condition that he shall not sell out the same or change its nature and shall produce the same before the court when ordered.

- 2] I.O. of P.S. Narkhed, Tq. Narkhed, Dist. Nagpur is hereby directed to prepare detail panchanama of the said property, snap its photograph on all dimension and file his report with the charge sheet.
- 3] Applicant is directed to obey the guide line of the central and state Government in respect with the prevention of spread of *COVID-19*.

Narkhed.  
Date : 28/01/2021

(Nitesh B. Rathod)  
Judicial Magistrate First Class,  
Narkhed

**CERTIFICATE**

I affirm that the contents of this P. D. F file order are same word to word as per original order.

Name of the stenographer : M. R. Raut

Case argued on	:	03-12-2020
Order dictated on	:	03-12-2020
Transcription ready on	:	03-12-2020
Order checked and signed off	:	03-12-2020