

CNR NO. MHNS-2000-0733-2021

Order below Exh.1

This application is filed under Sec. 457 of the Criminal Procedure Code.

2. The applicant contended that, he is the owner of seized yellow metal ornaments. He is praying for releasing the seized yellow metal 140 bids(mani) having pendant of yellow metal. The said yellow metal has been seized by the Wavi Police Station in Cr.No. 104/2021.

3. The applicant further submitted that he is in need of aforesaid yellow metal ornament. If the said yellow metal is kept idle with the police station without use, it may cause monetary loss of applicant. Due to the seizure of the yellow metal the applicant is unable to utilize the same. He showed ready and willingness to remain abide by all the conditions imposed by the court at the time of releasing the above said yellow metal.

4. The notice was issued to the I.O. and A.P.P. for filing their say and raising objections if any. I.O. took no objection for releasing the said yellow metal. Ld. A.P.P. submitted that the application is illegal and false and took objection.

5. Hon'ble District and Sessions Court, Nashik road remanded the present application and directed to decided the interim custody of yellow metal seized in this crime. Id. Predecessor already decided and handed over the interim custody of gas cylinder. At present the informant filed affidavit and intimate that he has no objection to hand over the custody of seized yellow metal to the applicant.

6. Heard both sides and gone through the record. It appears that the accused filed their no objection about seized yellow metal. No-one other than applicant has applied for the custody of seized yellow metal. Hence, it is desirable to grant interim custody of seized yellow metal i.e. mani with pendant to the applicant.

7. Considering above mentioned facts of ownership, the application deserves to be allowed in favour of applicant. At the same time for securing the presence of aforesaid yellow metal as and when required during trial, reasonable conditions must be imposed. Hence, I pass the following order by imposing following restrictions.

ORDER

1. Application is allowed.
2. Seized muddemal i.e. yellow metal 140 bids(mani) having pendant of yellow metal be given in the

interim custody of applicant on executing Indemnity Bond of Rs. 5,00,000/- on Stamp of Rs. 200/-.

3. The indemnity bond be execute before this court. The I.O. to produce the same along with the charge-sheet.
4. The applicant shall produce the said yellow metal as and when required by the court. The applicant shall not transfer the yellow metal same till the disposal of the case.
5. Applicant shall not make any material change in the appearance of the yellow metal.
6. The applicant shall furnish to the investigating officer two self attested coloured photographs of the said yellow metal for the identification. The investigating officer shall facilitate the photographs.
7. I.O. is directed to obtain residential as well as identity proof of applicant.
8. I.O. is directed to obtain document of ownership of seized yellow metal.

Place – Sinnar.
Date – 08/06/2026.

(**Laxmikant C. Wadikar**)
Judicial Magistrate F.C., Court,
Sinnar.