

MHRG170018872025



**ORDER BELOW EXHIBIT NO.42 IN**  
**SPL. CASE NO. 225/2025**  
**(Dated 14/05/2026)**

The applicant Sachin Rammilan Jaiswar has filed present application seeking interim custody of the seized mobile.

2] It is the case of applicant that Neral Police Station has seized his silver coloured mobile phone of Samsung company model no. ZPLU Samsung Galaxy fold 6(12 + 256) GB, HSN code no.85171300 in connection with C.R. No.137/2025 for the offences punishable under Sections 8(c), 30, 29, 27(a) and 25 of the Narcotics Drugs and Psychotropic Substances Act, 1985.

3] It is submitted by applicant that the said mobile phone is his personal property and required for his day to day communication, professional work, banking transactions and other essential purposes. The investigation is complete and charge-sheet has been filed in the Special Court. In such circumstances, continued detention of mobile phone serves no useful purpose. The applicant undertakes to produce the said mobile phone before this Court for IO as and when directed. Hence, it is prayed by applicant that the interim custody of

above mentioned mobile phone be handed over to him.

4] The opponent-State has filed its say on the application itself. The opponent-State strongly resisted the application. It is stated that, seized mobile phone is an important piece of evidence. If the seized mobile phone is handed over to the applicant, he will interfere with it's data. Hence, it is prayed that, the application be rejected.

5] Heard learned advocate Smt. Asmita Mhatre for the applicant and learned Special PP Shri. Y. S. Bhopi for the opponent-State. Perused the application, say and documents available on record.

6] Smt. Asmita Mhatre, the learned advocate for applicant argued on the line of averments made in the application whereas, Shri. Bhopi, the learned Spl PP made his submissions on the line of averments made in the say.

7] The applicant has filed copy of invoice of mobile phone. On perusal of said invoice, it appears that the mobile in question has been purchased in the name of applicant. If mobile phone is retained for indefinite period in police station, there is possibility of its damage and corruption of data. It may cause applicant economic depreciation. For this reason, it is necessary to grant

interim custody of the mobile phone to the applicant. Hence, I pass the following order.

**ORDER**

1. The application is allowed.
2. The interim custody of silver coloured mobile phone of Samsung company model no. ZPLU Samsung Galaxy fold 6(12 + 256) GB, HSN code no.85171300 seized in C.R.No.137/2025 for the offences p/u/sec. 8(c), 30, 29, 27(a) and 25 of The Narcotic Drugs and Psychotropic Substances Act, 1985 shall be given to the applicant Sachin Rammilan Jaiswar on following conditions
  - i) The applicant shall furnish supurtnama in the sum of Rs.1,00,000/- before investigating officer of Neral police Station.
  - ii) Applicant shall produce mobile phone before this Court at the time of trial and also as and when required and directed by this Court.
  - iii) The applicant shall not sell, mortgage, transfer or dispose of the mobile in question in any manner. He shall not make any change in its body, colour and shall not tamper with data contents therein.
3. Before giving interim custody of mobile phone to the applicant, its coloured photographs shall be kept in file and expenses of photographs shall be borne by applicant.

4. It is made clear that in case of any allegations regarding involvement of said mobile in question in any criminal activities or tampering its contents, the present order shall stands vacated.

Panvel

Date :- 14/05/2026

( S. R. Ugale )  
Additional Sessions Judge,  
Panvel