

ORDER BELOW EX.1 IN CRIMINAL MISC. APPLICATION NO.12/2026
(CNR No.MHRT-01-000141-2026)

1. This application is filed by the applicant viz: Satej Shantaram Ghawali, r/o. Devade, Wadi Adhisthi, Tal. Sangameshwar, Dist. Ratnagiri, for return of property, i.e. Blue colour Vivo Y 72 company mobile having IMEI No.868251056535578 and IMEI No.868251056535560 and Jio company SIM Cards no.7057852592 and 7588488344 seized by Ratnagiri City Police Station, Tal. & Dist. Ratnagiri in CR No.371/2025, for the offences punishable under Sections 7, 7(A), 12 of the Prevention of Corruption Act, 1988.

2. It is contended by the applicant that he is the owner of the aforesaid mobile which is seized by Ratnagiri City Police Station in CR No.371/2025. The said mobile is in Ratnagiri City Police Station. The applicant further submitted that if the mobile remained at the police station, its spare parts will get damaged and he will suffer loss due to its non-use. The said mobile is used for his day to day life and financial activities are depending upon it. Therefore, the applicant prayed for return of the said mobile. Applicant has also filed affidavit to substantiate his contentions in the application.

3. The I.O. has filed say at Exh.9 and submitted that proposal for permission for prosecution against the accused under section 19(1) of the Prevention of Corruption Act, 1988 has been pending before the Competent Authority of accused. It is further submitted that the investigation is still pending, therefore he has strongly resisted the application and prayed to reject the application.

4. Heard learned APP Shri. A. A. Phansekar for the State/opponent no.1 and learned Advocate Shri. P. P. Nene for the

applicant. Perused the application and documents. Opponent no.2 and 3 have filed their say below Exh.10 and 11 stating that they have no objection for handing over the muddemal to the applicant.

5. Applicant has filed on record certified copies of FIR, remand report and photo copies of Aadhar card and receipt of purchase of mobile etc.

6. It appears that the mobile has been seized from the custody of the applicant/accused no.3. He is the owner of said mobile. I.O. also has strongly objected the application for handing over mobile phone to applicant. The aforesaid mobile is lying with Ratnagiri City Police Station. There is no reason to keep the seized mobile with police station. As far as fear of I.O. is concerned, necessary conditions can be imposed on the applicant regarding producing the same for investigation purpose and at the time of evidence before the Court. Hence, the following order :-

ORDER

1. The application is allowed.
2. Police Inspector, Ratnagiri City Police Station, is hereby directed to return the property i.e. Blue colour Vivo Y 72 company mobile having IMEI No.868251056535578 and IMEI No.868251056535560 and Jio company SIM Cards no.7057852592 and 7588488344 seized by Ratnagiri City Police Station, Tal. & Dist. Ratnagiri in CR No.371/2025, for the offences punishable under Sections 7, 7(A), 12 of the Prevention of Corruption Act, 1988, to the applicant, on executing a bond/Supurtanama of Rs. 20,000/- (Rupees Twenty Thousand Only) by the applicant, for the aforesaid mobile, on

condition that not to dispose, alter, transfer, sell, alienate the said mobile without permission of this Court and produce the same as and when asked to produce the same by I.O. and this Court.

3. Police Inspector, Ratnagiri City Police Station, is hereby directed to prepare detail panchanama and also to snap photographs, of the aforesaid mobile, before returning the said mobile to the applicant.

Date:- 16.04.2026

A. M. Ambalkar)
Judge, Special Court, Ratnagiri.

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

Case Number		Cri.M.A. No.12/2026
Name of Stenographer	:-	Mr. Rajesh Ganpat Rahate
Name of Court	:-	Judge, Sessions Court, Ratnagiri.
Date of Dictation	:-	16-04-2026.
Order signed by the P.O. on	:-	16-04-2026.
Order uploaded on	:-	16-04-2026.