

ORDER BELOW EXH.96 IN SESSION CASE NO.13 OF 2020

(Passed on 23.07.2026)

This is application filed by the informant Waman Dhamanaskar and his wife Varsha Dhamanaskar for interim custody of gold & silver ornaments seized by police.

2. As per the applicants their daughter committed suicide and on 19.11.2014 the police seized (1) one gold necklace of weight 12.680 gram, (2) ladies gold ring weight 2.320 gram, (3) earrings pair of weight 3.750 gram, (4) nose ring of weight 0.940 gram, (5) silver lamp of weight 13 gram, and (6) silver chhalla of weight 12.500 gram. It was Stridhan of their daughter. They were gifted by the applicants in the marriage to the deceased. The said ornaments are in the custody of the court. Evidence regarding the identification of the said ornaments/articles is completed. Hence, they prayed for interim custody of those ornaments.

3. Accused filed pursis at Exh.106 and gave no objection.

4. Prosecution filed reply at Exh.99 and gave no objection.

5. In view of judgment of the Hon'ble Supreme Court in the matter of **Sunderbhai v/s. State of Gujarat reported in AIR 2003 SC 638**, it is not proper to keep these ornaments in the custody of the court. Evidence of informant regarding the identification of the said

ornaments is already over. Accused and prosecution have not objected the return of said ornaments to the applicants. Hence, I proceed to pass the following order.

ORDER

1. Application is allowed.
2. The seized ornaments/articles (1) one gold necklace of weight 12.680 gram, (2) ladies gold ring weight 2.320 gram, (3) earrings pair of weight 3.750 gram, (4) nose ring of weight 0.940 gram, (5) silver lamp of weight 13 gram, and (6) silver chhalla of weight 12.500 gram, be given in interim custody to the applicants till final decision of the case subject to furnishing indemnity bond of Rs.7,00,000/- and subject to following conditions:
 - a) The applicants shall not alienate, gift, hypothecate or create any kind of transfer over the aforesaid articles till conclusion of trial.
 - b) The applicants shall produce the same before the Court as and when directed by the Court.
 - c) The applicants to take photographs of the said ornaments/articles and produce the same in the court along with the indemnity bond and they are permitted to take photographs when the articles in the custody of the Court and shall file report of goldsmith after taking into custody of those ornaments/articles within 15 days.

Place: Chiplun

(D. B. Mhalatkar)

Date: 23.07.2026

Addl. Sessions Judge, Chiplun.

Case No. SC No.13/2020 (Order Below Exh.96)

I affirm that the contents of this pdf file order are same word as per original order.

Name of Grade I Stenographer : Sandeep S. Patil

Court Name : Addl. Sessions Judge, Chiplun

Date of Decision : 23.07.2026

Order Signed by P.O. on : 23.07.2026

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