

1580/MISC/2021

ORDER BELOW APPLICATION FILED BY APPLICANT KAMLESH
VITTHAL MOKASHI FOR RETURN OF PROPERTY FILED IN CR.
NO.451/2020

1. This application is filed by the applicant Kamlesh Vitthal Mokashi to return the property i.e. Oppo Company mobile phone. Applicant has submitted bill receipt of the mobile phone to show his ownership over the property. He is ready to execute suprutnama and produce the mobile phone before Court during the trial. Hence, he prayed to return the mobile phone on suprutnama.

2. I.O. and Ld. APP filed their reply. I.O. has given no objection. Ld. APP given formal objection to return the property to the applicant.

3. Perused the application and say. It reveals that the applicant is the lawful owner of the property i.e mobile phone. Till date nobody has claimed the property except of the applicant or filed any objection for return of the said property in favour of applicant. No purpose will be served by keeping the mobile phone in the custody of police. Hence, I proceed to pass the following order.

ORDER

1. Application is allowed.

2. The seized property i.e Oppo company mobile phone be handed over to the applicant Mr. Kamlesh Vitthal Mokashi on execution of indemnity bond of Rs.13,000/- (Rs. Thirteen Thousands

only).

3. The informant not to sale, transfer and not to create third party interest, in any manner till the disposal of the case.

4. The applicant shall produce the property as and when called by the Court or by the police.

5. I.O. is directed to take photographs of mobile phone and filed the same when ordered.

6. Indemnity bond to be executed before the concern police station.

7. Inform concern police station accordingly.



(R. M. Nerlikar)

Mumbai

Date : 14/09/2021

Addl. Chief Metropolitan Magistrate
8th Court, Esplanade, Mumbai.