

ORDER BELOW EXH. NO.01

The present application has been filed by the complainant/ applicant Ashadevi Anil Swami for return of gold ornaments i.e. gold Ganthan of 24 gram, and gold Bormal of 04 gram are seized by Barshi City Police Station in C.R. No.1004/2025 for offence P/U/sec. 331(3), 305 of the BNS.

2] Perused the application, say of the Investigating Officer. Heard Advocate for the applicant, and the learned APP.

3] The Ld. APP submitted that, offence in which muddmal seized is serious in nature. The muddemal is important evidence in the offence. Applicant will change or sold the muddemal. I.O submitted that, he has no objection to returned the muddemal to the applicant on appropriate terms and conditions.

4] The applicant and I.O have filed following documents :-

- a) Verified copy of Aadhar card of applicant.
- b) Copy of FIR.
- c) Verified Purchase receipts of gold ornaments.
- d) Xerox copy of seizure panchnama and memorandum panchanama of C.R No. 892/2025 & C.R No.1004/2025 .

5] It is important to note that, gold ornament i.e 24 gram Ganthan is seized by Barshi City Police Station in C.R No. 1004/2005 and Gold Bormal of 04 gram is seized by Barshi City Police Station in C.R No.892/2025. Applicant herself lodged FIR regarding the gold ornaments were stolen from the possession of the applicant. She is produced on record purchase receipts of gold ornaments. According to the said purchase receipts it appears that, the applicant has purchased the said ornaments. The accused has not filed say his say.

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There is no any other claimant to the said ornament. Hence, the applicant is entitled for the interim custody of the gold ornaments i.e gold Ganthan of 24 gram, and gold Bormal of 04 gram. Hence, it would be just and proper to give the same to the applicant on certain terms and conditions. Hence, the following order-

ORDER

1. The application is allowed and interim custody of the ornaments be given to the applicant.
2. The Investigating Officer of Barshi City Police Station is directed to handover interim custody of the ornament i.e. gold Ganthan of 24 gram, and gold Bormal of 04 gram to the applicant/informant on supurtnama.
3. The applicant is directed to furnish Supurtnama (indemnity Bond) worth Rs.2,50,000/- (Rs. Two Lac Fifty Thousand only) shall be executed before Court.
4. The Investigating Officer is directed prepare a detailed panchnama of the ornaments, by taking its photographs from the all sides. The expenditure of the photographs shall be born by the applicant.
5. The applicant is directed not to sale alter, change, or destroy the ornament till the end of the trial.
6. The applicant is further directed to produce the property as and when required by this Court.
7. Issue yadi accordingly.

Date : 04/04/2026

Sd/-
(Smt. Gayatri S. Patil),
Judicial Magistrate F.C. Barshi.

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CERTIFICATE

“I affirm that the contents of this **P.D.F.** file Judgment/order are same word to word as per original Judgment/order”.

Name of Stenographer : **Shri. K. S. Naik**
Name of the court : **Smt. Gayatri S. Patil**
2nd Jt. CJJD & JMFC, Barshi.
Judgment/order declared on : **04/04/2026**
Judgment/order signed
by Presiding officer : **04/04/2026**
Judgment/order uploaded on : **04/04/2026**