

MHSO180003902025



**ORDER BELOW EXH. 9 IN R.C.C. NO. 65/2025**

**State of Maharashtra**

**Informant**

**Versus**

**Ashikarya @ Ashok Kale**

**Accused**

This application is filed by applicant namely Smt. Rupali Santosh Bhuse under section 497 of the Bharatiya Nagarik Suraksha Sanhita of alleged property i.e. one golden ganthan (मणी मंगळसूत्र) of 5 grams, golden ear rings (कानातील सोन्याचे पिंजरा झुबे), two rings (पिळ्याच्या अंगठ्या) each of 5 grams. (In Short – said golden ornaments).

2. The applicant submitted that, applicant is owner of the said golden ornaments. The said golden ornaments were seized in Mangalwedha Police Station C.R. No.452/2024 for offences punishable u/s. 454, 457, 380 of the Indian Penal Code. As well as, the applicant has submitted that, if the said golden ornaments remains in the custody of the police and court then, there is possibility of the damage to the said golden ornaments. She is also ready to abide by terms and conditions as may be imposed by this court.

3. The learned A.P.P. and I.O. filed their say and submitted that, they have no objection to hand over the seized muddemal on

certain terms and conditions to the applicant. Accused filed his say and submitted that, he has no any relation about said muddemal and he has no objection to hand over the said muddemal to informant.

4. Considering the submissions and documents on record, it is observed that, the applicant has furnished purchase receipts of golden ornaments and her Aadhar Card. Informant Santosh Uttam Bhuse filed his affidavit at Exh. 16 and submitted that, he has no objection to hand over the custody of seized golden ornaments to the applicant. No person, except the applicant has claimed the possession of the said golden ornaments. The applicant is owner of the said golden ornaments. The said golden ornaments is necessary to her for daily use. No purpose will be served by keeping said golden ornaments either in the custody of police or Court. Hence, in view of guidelines given by the *Hon'ble Supreme Court in "Sundarbhai Ambalal Desai Vs. State Of Gujarat Reported in 2002 Supp (3) SCR 39"* it would be proper to hand over the custody of seized said golden ornaments to the applicant. Hence, by imposing necessary conditions, the application may be allowed. Hence, the following order.

#### ORDER

1. The application is allowed.
2. The applicant shall furnish two self attested coloured photographs of the said golden ornaments for the purpose of the identification to the concern clerk and the concern clerk shall facilitate the photographs.

3. The applicant shall produce the said golden ornaments as and when directed by the court.
4. The applicant is directed not to change, alter, alienate the property.
5. The applicant shall execute an indemnity bond, binding herself abide by the above condition and in default to forfeit Rs.2,00,000/- to the Government.
6. After execution of the Indemnity bond and furnishing the colour photographs by the applicant, the concern clerk shall hand over the custody of the said golden ornaments i.e. one golden ganthan (मणी मंगळसूत्र) of 5 grams, golden ear rings (कानातील सोन्याचे पिंजरा झुबे), two rings (पिळ्याच्या अंगठ्या) each of 5 grams to the applicant Smt. Rupali Santosh Bhuse by completing necessary procedure.
7. Issue copy of this order to the concern clerk for its compliance.
8. Application is disposed off.

Date : 17/07/2025

(V.K.Patil)  
Judicial Magistrate F. C.,  
Mangalwedha.

**CERTIFICATE**

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

(a) Name of the Stenographer : S.M. Gaddam

(b) Name of the Court : J.M.F.C., Mangalwedha, Dist. Solapur,

(c) Order signed by P.O. on : 17/07/2025

(d) Order uploaded on : 17/07/2025