

**CRI. M.A. NO. 46/2026 - ORDER BELOW EXH.1**

Ganesh Santosh Lohar Vs. State of Maharashtra  
CNR NO. MHSO20-000298-2026

The present application is filed by Ganesh Santosh Lohar under section 503 of Bharatiya Nagrik Suraksha Sanhita 2023, for granting temporary custody of HP Victus LapTop and charger which is seized by Sangola Police Station in Crime No.85/2026. The applicant has contended that the value of the said laptop is worth Rs.1,00,000/- (One Lac Only). The applicant is the registered owner of the said laptop. The applicant is ready to abide by the conditions imposed by the Court. Hence, applicant has prayed for release of the laptop.

02. A say of investigating officer and Ld. A.P.P. was called.

03. Investigating officer and Ld. APP filed their say. They submitted that, Sangola police station seized laptop in CR No.85/20026, offence registered u/s 303(2) of BNS. Crime registered against accused is serious in nature, cognizable and non-bailable. At the time of final hearing seized property is necessary for the purpose of identification. It is prime evidence of prosecution case. If it is released there is possibility to dispose off or may be change in it's nature. Hence, in the interest of justice application of the applicant kindly be rejected. I.O. submitted that it be released upon such terms and conditions as this court thinks proper.

04. Read the application and say. Perused the record. Heard Ld. A.P.P. and Ld. advocate for the applicant.

05. The police claimed to have seized the laptop in connection with the Crime No.85/20026, offence registered u/s 303(2) of BNS registered with Sangola Police Station.

06. The applicant has claimed himself to be the owner of seized laptop. Section 503 of Bharatiya Nagrik Suraksha Sanhita 2023, provides

that magistrate may order disposal of property which is reported to be seized during an inquiry or trial or delivery of such property to the person entitled to. Considering the legal provision, it is incumbent on the applicant to produce reliable material on record to show his entitlement to the custody.

07. The applicant has relied on a copy of purchase bill of laptop, copy of Pan card, Adhar Card and F.I.R. On perusal of the said documents it appears that the applicant is the registered owner of the seized laptop and charger. Further, there is no dispute of ownership of said laptop and charger at this juncture and only interim custody is granted of seized laptop.

08. The authority of **Sunderbhai Ambalal Desai Vs. State of Gujrat, AIR2003SC638** provides for direction to pass immediate and appropriate order for the disposal of the seized article for the muddemal instead of keeping them for a long time at the police station.

09. If the said laptop and charger remained in the custody of the police, then there is possibility of junk and will be of no use. Hence, it would be just and proper to hand over the same to applicant on certain conditions. It would not be out of place to mention that the I.O. is at liberty to retrieve any data from the seized laptop if required by following due process of law. Thus, the following order.

### **ORDER**

1. The application is allowed.
2. The muddemal i.e. HP Victus LapTop and charger which is seized by Sangola Police Station in CR No.85/2026 be given in interim custody of the registered owner on executing the indemnity bond of Rs.1,00,000/- (Rupees One Lakh only) before I. O. on the following conditions:
  - A. The registered owner shall produce the two latest coloured self-attested photographs of the said laptop taken from closed view

- from two different angles at his own expense, to the officer in charge of Sangola Police Station for the identification of the laptop. The police officer shall facilitate such photography.
- B. The officer in charge of Sangola Police Station shall upon receiving such photographs shall counter sign the same and prepare a possession receipt cum panchanama after verifying original identity proof of the applicant, handover custody of the seized laptop and charger to the applicant and forward the photographs and the possession receipt forthwith.
- C. The registered owner shall keep the said laptop in identifiable condition and shall not change the original structure of said laptop and charger.
- D. The registered owner shall not sale, create any charge over the said laptop till disposal of crime No.85/2026.
- E. The registered owner shall produce the said laptop and charger as and when necessary in the concern Police Station or in the Court or as per directions of any other competent authority.
- F. The papers of this proceeding, Indemnity Bond, Possession receipt cum Panchanama be kept in charge-sheet of the CR No.85/2026 of Sangola Police Station.
- G. Applicant shall submit the documents of the laptop and charger to the investigating officer in C.R. No.85/2026 registered with Sangola Police Station if required by investigating officer.

Place: Sangola  
Date : 13/03/2026

( Smt. P. R. Kulkarni )  
Judicial Magistrate F.C., Sangola

**CERTIFICATE**

I affirm that the contents of this PDF file Judgment/Order is same word to word as per the original Judgment / Order.

- (a) Name of Stenographer : Shri. S. S. Patne
- (b) Court : Smt. P. R. Kulkarni,  
Civil Judge, J.D. &  
J.M.F.C. Sangola
- (c) Judgment /Order signed by P.O. on : 13/03/2026