

MHST010013272020



ORDER BELOW EXH. 16 IN SESSIONS CASE
NO. 97/2020

**State of Maharashtra
(Through Satara city Pol. Stn.)**

.... Prosecution

V/s.

Amol Ramdas Pawar

... Accused

1. The applicant filed present application U/s. 451 of Criminal Procedure Code, seeking interim custody of one gold chain of 13.200 miligram. It was seized during the investigation of Crime bearing No. 229/2018 registered with Miraj Railway Police Station, for the offence punishable U/s. 395 of Indian Penal Code.

2. The applicant is the owner of the said gold chain. In support, the applicant filed photocopy of her Adhar Card and death certificate of Bhagyashri Baburao Ubale i.e. mother of applicant. It is contended that the said gold chain is kept idle in the strong room of District Court, Satara and if it is not released, it will subjected to decay. The applicant undertakes to maintain the said gold chain in all form and is ready to produce the same as and when required by the court. The applicant claimed that she is the owner of the said chain and is required for her regular use. Hence, prayed for release order by imposing suitable conditions.

3. The prosecution by filing say on overleaf opposed the application.

4. The applicant alone has claimed the said chain. The accused has not claimed any right, title or interest over the same. The applicant furnished undertaking in the application that she will not change the nature of said chain in any manner. At the same time, she gave undertaking to produce the same as and when required by the court. The said undertakings are accepted. The applicant is the only claimant of the said chain which is seized in present trial arising out of above noted crime. The law on the point is very settled. The seized muddemal, if subjected to decay, then its interim custody, on certain terms and conditions, can be given to the claimant. In present case, the applicant has given undertaking as noted above. The law noted above is the settled preposition of law. Therefore, by putting certain conditions, the custody of the said chain can be given to the applicant. Hence, following order;

ORDER

1. The application (Exh.16) is allowed.
2. The interim custody of gold chain of 13.200 miligram be given to present applicant Sonal Baburao Ubale on Supurt Nama on executing by her the bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) on following terms and conditions;
 - (i) The concern police station is hereby directed to hand over interim custody of gold chain to Sonal Baburao Ubale.
 - (ii) The Applicant shall produce the said chain as and when required by the Court.
 - (iii) The Applicant shall not change its outer or inner look.

- (iv) The Applicant shall not create any third party interest in respect of the said chain until conclusion of the trail.

Satara
Date : 18.12.2025.

(Amit M. Shete)
Additional Sessions Judge, Satara.