



CNR No. MHWR030018422026

O.M.C. No. 624/2026

Vijay Vs. G.R.P. Wardha

ORDER BELOW MAIN APPLICATION (EXH. 01)

This is an e-filed application under Section 503 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for releasing the seized ornaments i.e. (i) one big silver biscuit of 390 grams, (ii) one big silver biscuit of 386 grams, (iii) one small silver biscuit of 197.300 grams, (iv) one small silver biscuit of 170.00 grams, (v) one small silver biscuit of 250.00 grams, (vi) one small silver biscuit of 250.00 grams, (vii) one small silver biscuit of 233.00 grams, (viii) one small silver biscuit of 253.900 grams, (xi) one small silver biscuit of 210.00 grams and (x) 04 pieces of sample of silver of 07.97 grams i.e. total silver of 2 Kg. 348 grams 170 miligrams in N.C. report No. 01/2026 registered with Railway Police Station, Wardha.

2. Applicant contended that, he is the owner & possessor of the said ornaments. Police have seized the ornaments in N.C. report No. 01/2026. He needs the ornaments for his business purpose. There is no need to keep the said ornaments in Police Station. He is ready to abide by the conditions of release of said ornaments. Hence, through present application, he is claiming for release of the seized ornaments.

3. Investigation Officer & Ld. A.P.P *vide* their respective say gave no objection, subject to imposing condition on applicant for maintenance and preservation of the seized ornaments.

4. Perused the application, say filed and the record. Heard both sides. It is apparent that, ownership of the applicant over the seized ornaments is not disputed by the non-applicant. Further,

applicant has also filed copies of bills of jewellers, receipts of testing of accumulation of impured silver, the D.S.R. silver refinery bills, his shop licence, Aadhar card, Pan card & Police Station General Diary extract, which *prima facie* show that, he is owner and possessor of the seized ornaments.

5. As to the apprehension raised regarding possibility of change in colour, in my view, stringent conditions can be imposed over the applicant. The seized ornaments belongs to applicant and in my view, keeping it in Police custody will not serve any purpose. Therefore, as ownership of applicant is not disputed & documents on record *prima facie* disclose her ownership over the same, I find it just & proper to release seized gold ornaments on *Supurtnama*.

6. Further, the person from whom the property was seized i.e. Ratan has e-filed affidavit on record today giving his no objection to give custody of the seized property to the applicant.

7. Therefore, considering the reasons mentioned above, I am inclined to allow the application with certain conditions. Accordingly, I proceed to pass following order :

ORDER

1. Application is hereby allowed on following conditions :
2. Applicant is hereby directed to execute an Indemnity Bond of Rs. 10,00,000/- for the release of seized ornament i.e. (i) one big silver biscuit of 390 grams, (ii) one big silver biscuit of 386 grams, (iii) one small silver biscuit of 197.300 grams, (iv) one small silver biscuit of 170.00 grams, (v) one small silver biscuit of 250.00 grams, (vi)

one small silver biscuit of 250.00 grams,(vii) one small silver biscuit of 233.00 grams, (viii) one small silver biscuit of 253.900 grams, (xi) one small silver biscuit of 210.00 grams and (x) 04 pieces of sample of silver of 07.97 grams i.e. total silver of 2 Kg. 348 grams 170 miligrams in N.C. report No. 01/2026 registered with Railway Police Station, Wardha.

3. The seized ornaments shall be released on following conditions of undertaking by applicant as to :
 - A) Applicant shall produce the seized ornament & mobile as and when directed or required.
 - B) Applicant shall not change the shape or colour of the seized ornaments & shall take due care for the maintenance of the same.
 - C) Applicant shall not transfer or create any third party interest in the ornaments, without the permission of Court.
4. Concerned I.O to take coloured photographs of the seized ornaments in presence of applicant and draw detailed *panchnama* before releasing the same. He shall also get the certificate of its purity from the smith. Copy of said *Panchnama* alongwith copy of this order be attached alongwith the final report.
5. Inform the Police Station Officer, Railway Police Station, accordingly.

Date : 12/03/2026
Place : Wardha

(Vickrant P. Khandare)
Judicial Magistrate First Class, Wardha.
(Court No. 1)