



ORDER BELOW EXH. 3 IN S.C.C.No. 2812/2026

This is an application filed by the applicant Govind Mohanlal Dayya for grant of interim custody of electronic games namely Monkey brother Poker-1, Chanpion Poker-3, Mega Free Play Poker-1, Super Golden Wheel-1, Mint-1, Dragon-1, Master-1, Win-Win-1, which are seized by Police Station, Wardha (City), Wardha, Dist. Wardha in Crime No. 352/2026 in connection with the offence, under section 4 and 5 of Maharashtra Prevention of Gambling Act,1887.

2. It is the contention of the applicant that, he is owner of the above said articles. He further contended that, articles are necessary for his daily use and if the articles are kept stationary, it would cause damage. Accordingly, it is submitted by the applicant that custody of the said articles be handed over to him. He is having license to play the games station.

3. The learned APP filed her say and contended that the if the said articles of the applicant is returned to applicant may change it's nature, commit similar types of offence. Hence, she

prayed for rejection of application. IO has strongly opposed to release the said articles.

4. Perused the record. The applicant contended that, he is the owner of above said articles i.e. Monkey brother Poker-1, Chanpion Poker-3, Mega Free Play Poker-1, Super Golden Wheel-1, Mint-1, Dragon-1, Master-1, Win-Win-1. Further, he has filed copy of items bill, FIR, Premises License, License for Games and copy of Adhar Card. So considering the submissions and documents filed on record it become *prima facie* clear that, the above said articles are owned by the applicant, so the applicant is the owner and possessor.

5. Considering the nature of crime and the fact that, above said articles if kept stationary it will diminish its value. So no purpose will be served by keeping the above said articles with the police. So, this court of the view that, it would be proper to hand over the custody of the aforesaid said articles to the applicant on certain terms and conditions. Hence, following order -

ORDER

1. Application is allowed on Exh.3.
2. Applicant to execute bond of Rs. 1,00,000/- (Rs. One

Lakh Only) with incorporating the following terms and conditions :-

- a) Applicant to keep of Monkey brother Poker-1, Chanpion Poker-3, Mega Free Play Poker-1, Super Golden Wheel-1, Mint-1, Dragon-1, Master-1, Win-Win-1 in proper condition and not to dispose of it in any manner.
- b) Applicant to produce above said articles as and when directed by the Court.
- c) The investigating officer is hereby directed to obtain photographs of the said articles alongwith the detail panchnama while handing the custody of the property to the applicant.
- d) Investigation Officer is directed to produce photographs, panchnama before this court forthwith.
- e) Humdast is allowed for its effective service.

Date: 14/07/2026
Wardha.

(H. P. Pancholi)
Judicial Magistrate, First Class,
[Court No.4] Wardha.