



**ORDER BELOW EXHIBIT 1 IN CRI.M.A. NO.41/2026**  
**(CNR NO.MHWS08000418-2026)**  
**Kishor Shankar Lokade ..Vrs.. State Thr. P. S. Risod**

The present application is filed u/s 497 and 503 of BNSS. Perused application and say. Ld. APP strongly opposed for granting custody of seized mobile phone of VIVO company VIVO V60 bearing IMEI No.860668089716693/860668089716685 to the applicant (for brevity 'seized mobile'). The I.O. has submitted that, he had objection to hand over the seized mobile phone to the applicant. The Ld. Counsel for the applicant submitted that, the investigation in crime is completed.

**2]** The applicant has filed the following documents :-

- A) Xerox copy of F.I.R.
- B) Xerox of Adhar Card.
- C) Mobile Bill

**3]** From record it appears that, the said mobile has been seized in Crime No.178/2026 for an offence punishable u/s.309(6), 3(5) of Bhartiya Nyay Sanhita 2023. I.O. has not denied ownership of applicant of seized mobile. Therefore, applicant is entitled to receive the property. No purpose would be served in keeping the seized property at the Police Station. The possibility of the damage to the said property can not be ruled out if kept lying in the Police Station.

4] Considering the nature of the seized property, its protection, guarding and safe custody is not reasonably practicable. Looking into the nature of the seized property, it may lose its worth and value.

5] As the applicant has shown entitlement to receive the seized property and as no claimant other than the applicant came forward, he is entitled for the possession of the same. So far as the apprehension raised by the Ld. APP is concerned that can be taken care of by imposing appropriate conditions. In the result following order is passed:

### **ORDER**

1. The application is allowed.
2. The property model namely VIVO company VIVO V60 bearing IMEI No.860668089716693/860668089716685 seized in Crime No.178/2026 registered with P. S., Risod be handed over to the applicant on the applicant executing indemnity bond of Rs.38,999/- (In word of Rupees Thirty Eight Thousands Nine Hundred Ninety Nine only).
3. The applicant to undertake that, he shall not sell or transfer the property without the prior permission of the Court. The applicant to maintain and preserve the property in all respects.
4. The applicant shall produce the property in the Court as and when directed.

5. I.O. is directed to take photographs of mobile from each side at the costs of applicant and to prepare a panchnama before handing over the possession of the vehicle to the applicant. I.O. is further directed to file said photographs and panchnama along with final report.

Date: 18.03.2026

(Dinesh M. Gaikwad)  
Judicial Magistrate, F.C.  
Court No.2, Risod.

**CERTIFICATE**

I affirm that the contents of this P.D.F. File Order are same word to word, as per the original **Order**.

Name of the Stenographer : B. V. Bhisade, (Grade-III)

Name of court : Jt. C.J.J.D. & J.M.F.C., Risod.

Date : 18.03.2026

Order signed by the  
Presiding Officer : 18.03.2026

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