

MHYA100008602026



**ORDER BELOW EXH. 1**

**IN**

**O.M.C.A. NO. 91 OF 2026**

**Mangesh Vinayak Khandankar**

**..Vs..**

**State through P.S. Pandharkawada**

**(Decided on 23<sup>th</sup> June, 2026)**

The present application is filed by **Mangesh Vinayak Khandankar** for the return of muddemal property i.e. Mobile phone **Redme Narzo 30 (hereinafter referred as Seized Property)** seized in **Crime No.561/2026** registered with Police station, Pandharkawada.

The details of Seized property are as under:-

Nature of property – **Mobile handset.**

Company and model No – **Redme Narzo 30**

**IMEI No.- 869735050548297/69735050548289**

2. Applicant has submitted that he is the owner of seized property. There is no need of seized property for being kept for the purpose of the investigation. The applicant is in need of the seized property for the use of it in the course of his daily routine. Applicant is also ready to abide by all the terms and conditions that will be imposed by the court. Accordingly, applicant has prayed that his

application be allowed.

3. The investigating officer has strongly objected to the application by filing say below (Exh.5) It is submitted by the Investigation Officer that if the seized property is given to the applicant then possibility cannot be ruled out that it will be again used for the commission of the offence of the same nature.

4. Learned Assistant Public Prosecutor has objected the application on the ground that seized property is used in the commission of the crime. Seized property is a matter of evidence in this crime. Accordingly learned Assistant Public Prosecutor has prayed for rejection of this application.

5. In support of his application the applicant has filed on record verified copy of his Adhar Card, purchase receipt of mobile handset, and Copy of First Information Report. Applicant prima-facie seems to be the owner of the seized property.

6. Considering the nature of the offence, no purpose would be served by preventing the release of Mobile. Furthermore, at this stage, only interim custody of the Mobile has to be determined. If the seized property is kept in the custody police, certainly it will decrease its worth. The trial would not be concluded in near future. Hence, it would be just and proper to hand over the interim custody of the seized property in favour of the applicant. Accordingly, I proceed to pass the following order.

**ORDER**

- 1) Application is allowed subject to following conditions.
- 2) The Seized property,  
Nature of property – **Mobile handset.**  
Company and model No – **Redme Narzo 30**  
**IMEI No.- 869735050548297/69735050548289**  
be handed over to the applicant **Mangesh Vinayak Khandankar**  
furnishing indemnity bond of **Rs. 20,000/- (Twenty Thousand Only)-.**
- 3) Applicant is directed that not to sale, alienate, transfer property in way or to carry out any changes in the seized property and preserve the same in all aspects.
- 4) Applicant is directed to produce the seized property as and when required by the court.
- 5) Investigation officer is directed to carry out detail panchnama of the Seized mobile along with photographs and taking details such as serial and model number and which are necessary for identification of the seized property and same shall be filed along with charge sheet.
6. The supurtanama bond be executed before the investigation officer.
- 7) The copy of this order be kept in **Crime No. 561/2026.**
- 8) Application is disposed off accordingly.

**Sd/-**

**( Sayema N. A. S. Shaikh )**

Judicial Magistrate First Class,  
(Court No. 2)Kelapur

Date: 23/06/2026