

IN THE COURT OF METROPOLITAN MAGISTRATE,
36th COURT MUMBAI CENTRAL, MUMBAI.

C. C. NO. :- 209/MISC./2019.

C. R. NO. :- 865/2019.

Railway Police Station :- Mumbai Central

Mohd. Imran Islamuddin Shaikh.

Applicant.

....

V/s.

The Sr. Inspector of Police,
(Railway Police Station Mumbai Central)

.... **Respondent.**

ORDER BELOW EXH.-1

The applicant viz. Mohd. Imran Islamuddin Shaikh has filed application for releasing his mobile handset Samsung made, J7 MAX, I.M.E.I. No. 352093098394430 and 352094098384438. The Investigating Officer, gave no objection for handing over the seized mobile handset in favour of the applicant. Ld. A.P.P. submitted that the mobile handset will require for identification during the trial. It is prayed that, necessary order be passed.

2] During the investigation mobile handset is recovered. It also appears that, as per the report lodged by present applicant a crime bearing No.865/2019 is registered against unknown accused, at police station, Mumbai Central. In support of application applicant placed on record copy of invoice which discloses that applicant purchased said mobile handset is purchased on 17/12/2017, for an amount of ₹ 17,200/-, from Sharma Mobile Plaza, Tapukara (Alwar)Rajshthan. Applicant also filed copy of his Aadhar Card, F. I. R.. No purpose would be served by keeping the mobile handset by police station itself. Applicant is is entitled for getting custody of mobile handset. Therefore, the order :

ORDER

- 1] The seized mobile handset Samsung made, J7 MAX, I.M.E.I. No. 352093098394430 and 352094098384438, be given to the applicant viz. Mohd. Imran Islamuddin Shaikh, R/o.- Bheem Nagar, Jogeshwari (W), Mumbai, on indemnity Bond of ₹17,000/- (Seventeen Thousand), which is to be executed before Investigating Officer of Railway Police Station, Mumbai Central, on following condition :
 - (a) The applicant shall produced the mobile handset, as and when required.
 - (b) The applicant shall not transfer or alienate the seized mobile handset till the decision of the main case.
 - (c) The applicant shall not change the nature of the seized mobile handset by any manner till the decision of the main case.
- 2] The Investigating Officer shall furnish the Indemnity Bond alongwith the final report / chargesheet, in this Court.
- 3] This proceeding be kept with the remand papers of C. R. No.865/2019 of Railway Police Station, Mumbai Central, Mumbai for merging the same in the main case after filing the chargesheet, if any.

Sd/-

(G. P. Bawaskar)

Metropolitan Magistrate,
36th Court, Mumbai Central,
Mumbai.

Date : 01/07/2019.
SRD.