

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

C. C. NO. :- 286/MISC./2019.

C. R. NO. :- 754/2019.

Railway Police Station :- Mumbai Central.

Unmesh Rajeev Dudhalkar.

.... Applicant.

V/s.

The Sr. Inspector of Police,

(Railway Police Station, Mumbai Central, Mumbai)

.... Respondent.

ORDER BELOW EXH.-1

The applicant viz. Unmesh Rajeev Dudhalkar has filed application for releasing mobile handset of MI made, Model No. Note 5-Pro, Black coloured, I.M.E.I. No. 867194039260206 and 867194039260214. The Investigating Officer, gave no objection for handing over the seized mobile handset in favour of the applicant. No say filed by Ld. A.P.P

2] Heard.

3] During the investigation mobile handset is recovered. It also appears that, as per the report lodged by present applicant, a crime bearing No.754/2019, P.U.S. 379 of I.P.C., is registered against unknown accused, at police station, Mumbai Central, Mumbai. In support of application applicant placed on record copy of invoice, which discloses that Rajeev Bhaurao Dudhalkar purchased said mobile handset, on 04/11/2018, for an amount of ₹14,128/-, from TU Retail Service Pvt. Ltd., Thane (W). Applicant also filed copies of his Aadhar Card, F. I. R. and affidavit of his father viz. Rajeev Bhaurao Dudhalkar. Affidavit of Rajeev Bhaurao Dudhalkar, stating that, mobile purchase bill stands on his name and he have no objection to return said mobile to applicant. No purpose would be served by keeping the mobile handset at police station itself. Applicant is entitled for getting custody of mobile handset. Therefore, the order :

ORDER

- 1] The seized mobile handset of MI made, Model No. Note 5-Pro, Black coloured, I.M.E.I. No. 867194039260206 and 867194039260214 be given to the applicant viz. Unmesh Rajeev Dudhalkar, R/o.- 601/A, Maitri Chandan, Maitri Vatika, Parsik Nagar, Kalwa, Thane – 400 605, on indemnity Bond of ₹15,000/- (Fifteen Thousand), which is to be executed before Investigating Officer of Railway Police Station, Mumbai Central, Mumbai, on following condition :
 - (a) The applicant shall produce the mobile handset, as and when required.
 - (b) The applicant shall not transfer or alienate and shall not it's nature the seized mobile handset 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. 754/2019 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 : 11/09/2019.
SRD.