



Police Station, Udgir City.

Cr.No.237/2023

ORDER BELOW EXH.1

Present application is filed by the applicant to release mobile i.e. Vivo-Y56 5G company, IMEI No.865437065128611 as per under Section 457 of the Cr.P.C.

2. Perused the application (Exh.1.) and the say of the learned A.P.P. and I.O. against the application. A.P.P. has submitted that, after verification of original documents of mobile appropriate order may be passed. I.O. has submitted that, on imposing certain conditions appropriate order may be passed. Hence, prayed to reject the application.

3. Applicant has filed documents i.e. xerox copy of the FIR, xerox copy mobile receipts showing his ownership and photo copy of Aadhar Card of applicant. On verification of the document of the said mobile, it is seen that, the applicant is the owner of the above mentioned mobile.

4. Learned Advocate for applicant submitted that, applicant is in need of said mobile. Hence, it would be proper to release the said mobile in favour of it's registered owner by imposing appropriate terms and conditions.

5. Perusal of the FIR shows that, the said mobile phone is recovered in the investigation of crime bearing No.237/2023. Same has been confirmed by the say filed by Investigating

Officer below Exh.6. No doubt as per the documents submitted by the applicant he is owner of seized mobile phone. The trial may take its own time and if certain conditions are imposed upon the applicant the seized mobile phone can be released. Therefore, considering the submissions made by both sides and facts and circumstances of the case the application deserves to be granted subject to following conditions. Hence, I pass following order.

O R D E R

- 1) Application Exh.1 is allowed.
- 2) Mobile i.e. Vivo-Y56 5G company, IMEI No.865437065128611 be returned and handed over to the applicant on his executing indemnity bond of Rs.30,000/- (Rupees Thirty Thousand only).
- 3) He shall not change colour/nature of the said mobile or make any alteration in it.
- 4) He shall not create any third party interest or sell above mentioned mobile phones i.e. by way of alienation, etc.
- 5) He shall produce the said mobile in the Court as and when required, during trial.
- 6) He shall produce photographs of the said mobiles before the concerned I.O. I.O. shall verify them with the original along with the receipts of mobile phones.
- 7) Inform concern police station/I.O. accordingly.

Udgir

Date:11/08/2023.

(N.J.Chavan)

Judicial Magistrate F.C.,Udgir
(Court No.3)
