

म.जा.क्र. २०४ /२०२५
दिवाणी व फौजदारी न्यायालय, शिंदखेडा
दिनांक १०/०६/२०२५

प्रति,
मा. पोलिस निरीक्षक,
शिंदखेडा पोलिस स्टेशन, शिंदखेडा
ता. शिंदखेडा, जि. धुळे

विषय : शिंदखेडा न्यायालयांतील फौजदारी किरकोळ अर्ज नं.६०/२०२५
मध्ये भारतीय नागरीक सुरक्षा संहिता २०२३ चे कलम ५०३ प्रमाणे
मुद्देमाल परत करणे बाबत....

शिंदखेडा न्यायालयांतील फौ.कि.अर्ज नं.
६०/२०२५
शिंदखेडा पो.स्ते. गु.र.नं.१२०/२०२५

स्पंदना स्मूर्ती फायनान्स कंपनी लि.
तर्फे ऑसोशिप्ट व्हाईस प्रेसीडेंट,
रजनीकांत ढवळे,
रा.सुर्या इन्वलेव, अजीज नगर, जि.के.
वी.रंगारेड्डी, तेलंगाणा

अर्जदार

//वि.//

महाराष्ट्र शासन तर्फे पोलीस निरीक्षक
शिंदखेडा पोलिस स्टेशन, शिंदखेडा जाबदेणार
ता. शिंदखेडा, जि. धुळे

मा. न्यायदंडाधिकारी प्रथम वर्ग,
शिंदखेडा यांचे आदेशान्वये बाजुस नमुद
कामातील अर्जदार यांचे तर्फे या
न्यायालयांत भारतीय नागरीक सुरक्षा
संहिता-२००३ चे कलम ५०३ अन्वये
दाखल केलेल्या अर्जात मा. न्यायालयाने
खालील प्रमाणे आदेश पारित केला असून
सदरहू नमुद मुद्देमाल त्यास परत करणे
बाबत आदेशित केलेले आहे.

सोबत चा आदेशाची प्रत प्रमाणे

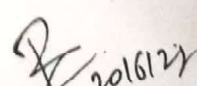
तरी आपणास याद्वारे आदेशित करण्यात येते की, उपरोक्त नमुद भारतीय नागरीक सुरक्षा
संहिता-२०२३ चे कलम ५०३ प्रमाणे दाखल केलेल्या अर्जावर मा. न्यायालयाने पारित केलेल्या
आदेशाप्रमाणे अर्जदाराकडून योग्य त्या स्टॅम्पवर सुपुर्दनामा करून घेवून, व आदेशात नमुद अटी व
शर्ती प्रमाणे मुद्देमाल अर्जदाराच्या ताब्यात देण्यात यावा व तसा पुर्तता अहवाल या न्यायालयास
सत्वर पाठविण्यात यावा.


का.का.

दिनांक.१७/०६/२०२५



आदेशावरून,


सहायक अधिक्षक

दिवाणी व फौजदारी न्यायालय, शिंदखेडा

MHDH060005212025



Order Below Exh. 1 in Cri. M. A. No. 60/2025
Spandana Sphoorty Finance Company Limited

V/s.

State of Maharashtra
(Shindkheda Police Station)

The present application is moved by the applicant under section 503 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for return of property i.e. Cash amount of Rs. 4,68,557/-, seized by Shindkheda Police Station in Crime No. 0120/2025 for the offence punishable under Sections 305, 331(3) read with section 3(5) of Bharitya Nyaya Sanhita.

2. It is contended by the applicant that applicant is registered Micro Finance Company and provide loan to poor females for business. Shri. Rajnikant Dhavale is Associate Vice President of the said company. The amount of Rs. 4,68,557/- in the locker of the said company was stolen. Then the manager of the said company Shri. Nainesh Parashuram Shelake lodged report about same at Shindkheda Police Station. On the basis of same C.R. No. 0120/2025 came to be registered on 15.05.2025. The police have seized amount of Rs. 4,68,557/- from accused. Therefore, the applicant filed this application for getting custody of said cash amount. The applicant company submitted that, they are ready to abide all the conditions if any, imposed by the Court. Hence, the applicant prayed for getting interim custody of the cash amount of Rs. 4,68,557/-.

3. Say of I.O and A.PP was called. The Learned APP submitted that appropriate order may pass in the interest of justice.

I.O. has submitted that they have no objection to return cash amount to the applicant on necessary terms and conditions.

4. Heard learned A.PP for the State, learned Advocate for the applicant.

5. In support of his contentions, the applicant filed on record true copy of E.I.R., true copy of remand report dated 22.05.2025, true copy of remand report dated 23.05.2025, true copy of bail application and it's order, verified copy of Adhar card of applicant and authority letter of Spandana Sphoorty Financial Limited.

6. In the present case, the applicant filed true copy of E.I.R. and remand reports, verified copy of Adhar Card and authority letter of Spandana Sphoorty Financial Limited. The applicant is claiming its ownership over the seized cash amount of Rs. 4,68,557/-. Therefore, it is necessary to go through the documents filed by the applicant. Perused the documents filed on record. It reveals that the amount of Rs. 4,68,557/- in the locker of Spandana Sphoorty Financial Company Limited was stolen. Then the manager of the said company Shri. Nainesh Parashuram Shelake lodged report about same at Shindkheda Police Station. The police have seized amount of Rs. 4,68,557/- from accused. The Investigation Officer has given no objection to handover custody of said cash amount to applicant company. Therefore, the applicant company is entitled to get the possession of same. Moreover, applicant company has claimed for interim custody of the cash amount. The point of final custody of cash amount would be decided during the conclusion of trial. In such circumstances, applicant company is entitled for the custody of cash

Order below Exh.1

amount. No purpose will be served by keeping said cash amount at Police Station. So, there is no reason to refuse this application and more particularly in view of the dictum of Their Lordships of the Apex Court in the case of Sunderbhai Vs State of Gujrath reported in (2003) 24 BCR (SC) 444 wherein it has been observed that, there is no use to keep seized property at police station for long period and appropriate orders should be immediately made regarding return of property by taking appropriate bonds as well as security for return of the property, if required at the time of trial. Therefore, I pass the following order :-

ORDER

1. Application is hereby allowed.
2. Custody of cash amount of Rs. 4,68,557/- (Rs. Four Lakhs Sixty Eight Thousand Five Hundred Fifty Seven Only) seized by Shindkheda Police Station in Crime No. 0120/2025, be handed over to the applicant namely Shri. Rajnikant Dhavale on executing his indemnity bond of Rs. 4,68,557/- (Rs. Four Lakhs Sixty Eight Thousand Five Hundred Fifty Seven Only).
3. Investigating Officer shall prepare detail panchanama of cash amount Rs. 4,68,557/- before returning the same to the applicant and shall take photographs of said cash amount. Applicant to bear the expenses of photographs.
4. Inform Shindkheda Police Station accordingly.
5. I.O is hereby directed to submit all relevant papers of return of the cash amount along with the final report of C.R. No. 0120/2025 in this Court and he shall mention in it about the return of cash amount to the applicant.

Shindkheda.
Date : 16.06.2025.

(Harshada S. Admane)
Judicial Magistrate, EC.,
Shindkheda