

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRI. WRIT PETITION NO. 928 OF 2015

Dr.Jayesh Arjun Katira

... Petitioner.

V/s.

The State of Maharashtra

... Respondent.

Mr. Samir A. Vaidya, Advocate for the Petitioner.

Mrs. P.P. Bhosale, APP for the State.

CORAM : M.L.TAHALIYANI,J.

DATE : 18th MARCH, 2015

P.C. :

1 Heard learned Advocate for the Petitioner and
 learned APP for the State.

2 During the course of investigation of the offence punishable under section 376 of the Indian Penal Code against the petitioner, the respondents have seized one Indigo Manza Car and iPhone 5S. It may be noted here that iPhone 5S which was ordered to be returned to the petitioner is not available with the police as it has been sent to the Forensic Laboratory for the opinion. Therefore, no order with respect to the iPhone can be passed at this juncture. Liberty will be given to the applicant to move trial court afresh for return of the iPhone. Therefore, I pass the following order :

i. The vehicle Indigo Manza bearing registration no. MH-03-AZ-3048 be returned to the Petitioner on execution of personal bond of Rs. 3,00,000/- on following conditions.

a) The petitioner shall not part with the vehicle in any manner without prior permission of the trial court.

b) The petitioner shall not change the description of the vehicle until further orders of the trial court.

c) He shall produce the vehicle as and when required by the trial court during the pendency of the trial or in any other competent court in any other appropriate proceedings.

ii. Liberty is given to the petitioner to apply for return of the iPhone whenever it is received back by the police from the Forensic Laboratory.

3 Writ petition stands disposed of in the above terms.

(JUDGE)

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