

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL WRIT PETITION NO. 1621 OF 2016

Sagar s/o Arunrao Deshpande

Age : 30 Yrs., Occ. : Business,

R/o : Kabad Galli, Beed,

Tq. & Dist. Beed. ... **.... PETITIONER**

VERSUS

The State of Maharashtra

Through Police Station,

Beed (City), Dist. Beed. **RESPONDENT**

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Mr. S.J.Salunke, Advocate for Petitioner.

Mr. A.R.Kale, A.P.P. for Respondent – State.

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CORAM : Z.A.HAQ, J.

DATE OF JUDGMENT : 20th DECEMBER, 2016

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ORAL JUDGMENT :

01. Heard Mr. S.J.Salunke, learned Advocate
for the petitioner and Mr. A.R.Kale, learned A.P.P.

for the Respondent – State.

02. Rule. Rule made returnable forthwith.

03. The petitioner/accused has challenged the Judgment passed by the Sessions Court dismissing the Criminal Revision Application filed by the petitioner and maintaining the order passed by the learned Magistrate, by which the application filed by the accused u/s 457 of the Code of Criminal Procedure for releasing the property [Mobile Cell Phone] is rejected.

04. In para No. 5 of the impugned Judgment, the learned Additional Sessions Judge has recorded that the Cell Phone in question is seized as instrument of gaming u/s 6 of the Maharashtra Prevention of Gambling Act, 1887.

05. Considering the facts of the case, I am not inclined to interfere with the impugned Judgment and Order. However, in my view, the interest of justice

would be sub-served by directing the learned Magistrate to dispose of the proceedings before him within four months.

06. The Criminal Writ Petition is disposed of in the above terms.

07. In the circumstances, the parties to bear their own costs.

[Z.A.HAQ, J.]