

V/s.

The State Of Maharashtra And Anr ... Respondents

Mr. Shanu / Sanjay T. Raikar, for the petitioner.

Mr. Kiran Shinde, APP, for the State.

Mr. Dipak Thorat, PSI, Oshiwara Police Station, present.

CORAM : N.J. JAMADAR, J.

DATE : 8TH OCTOBER 2025.

PC:

1. Heard the learned counsel for the parties.
2. The challenge in this petition is to an order dated 9th December 2024 passed by the learned Additional Sessions Judge in Criminal Revision Application No. 134 of 2022, whereby the learned Sessions Judge declined to interfere with an order dated 15 January 2022 passed by the learned Magistrate on an application for return of the properties.
3. By the said order, the learned Magistrate was persuaded to return the property to respondent no. 2/Accused upon furnishing a Supurtnama Bond.
4. The learned Magistrate was of the view that, in the given

circumstances, the respondent no. 2 was entitled to the interim custody of the gold ornaments.

5. Having regard to the nature of the claim of the Petitioner/First Informant and Respondent no. 2/Accused, at this stage, this Court finds that there is no propriety in entertaining this Petition against the interim order of custody of property. It would be expedient that the trial arising out of C.R. No. 570 of 2021 registered with Oshiwara Police Station itself, is concluded as expeditiously as possible.

6. Hence, the following order:

ORDER

i) The petition stands disposed with a request to the learned Magistrate seized with the case arising out of the C.R. No. 570 of 2021 registered with Oshiwara Police Station to commence and conclude the trial in the said case as expeditiously as possible and, preferably, within a period of one year from the date of this order.

ii) The learned Magistrate, however, shall not be influenced by the observations in the order dated 15th January 2022 as well as the order passed by the learned Sessions Judge in Criminal Application No. 134 of 2022.

Petition disposed.

(N.J. JAMADAR, J)