

**Present:- Sri N. J. Haque, CJM, Sonitpur, Tezpur**

Tezpur PS Case No-1049 of 2021

GR Case No-1723 of 2021

U/S-457/342/392 of IPC

ORDER

09.08.2021

Ld. Advocate of the petitioner filed hazira.

Report as called earlier vide Order dated 03.08.2021 in respect of seized Pulsar 150 DTS-I bearing Regd. No- AS-12/V-0711 and one Mobile handset, model Realme Narzo 10 bearing IMEI No- 864014041575438 is received today.

Heard both sides and perused the report carefully.

It disclosed from the report submitted by the I/O SI Tilak Ch. Teron of Tezpur PS that ASI Anup Katoki (Former I/O) had seized the above-named mobile phone from the possession of the petitioner in connection with this case. It is also stated that the accused was used the said mobile phone during the time of occurrence and the petitioner also could not provide any legal documents regarding the ownership of the said seized mobile phone. It is also stated that the petitioner can also damage the evidence or data of mobile and therefore, the said mobile phone is required for further investigation. Therefore, the I/O prayed not to give zimma of the mobile phone to the petitioner at this stage.

Considering the report of the I/O and for the sake of investigation zimma prayer of mobile phone is stands rejected at this stage since the I/O needs the same for further investigation of this case.

09.08.2021

Further, on perusal of the report submitted today by the I/O has categorically mentioned that no Pulsar 150 DTS-I bearing Regd. No- AS-12/V-0711 has been seized in connection with this case, if so, then question of deciding the zimma prayer of said motor cycle does not arise. Hence, the prayer filed by the petitioner on 03.08.2021 stands rejected devoid of any merits.

**Accordingly, zimma petition No-453/2021 stands disposed of.**

Inform all the concerned.

Sri N. J. Haque  
Chief Judicial Magistrate  
Sonitpur, Tezpur