

Case No.655/N/2018

C.R.No.309/2018

Mahim Police Station

Order below application for return of property

It appears that Mahim Police Station has seized one Chevrolet Enjoy LS Four Wheeler Motorcar bearing RTO No.MH-43-AR-7513 in crime no.309/2018. One Ganesh Ramesh Jadhav has filed complaint on the basis of which said FIR came to be registered. Now, applicant is alleging that, he is registered owner of the same and required the same for day to day work. In support of his claim, applicant has filed his affidavit, NOC-cum-affidavit of Proposed Purchaser Samadhan Pandit Chavan, copy of FIR and certificate of insurance and policy schedule.

Per contra, police has given no objection to hand over the custody of seized vehicle to applicant. Ld.APP submitted that, applicant is registered owner of property, hence necessary order may be passed.

Documents on record supported to the contention of applicant. On the basis of document applicant proved that, he is owner and he being custodian is entitled to get custody of seized vehicle. No purpose would be served by keeping Chevrolet Enjoy LS Four Wheeler Motorcar bearing no.MH-43-AR-7513 in the police station in ideal condition. With this, I proceed to pass following order :-

ORDER

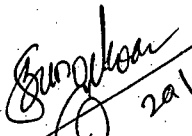
The Inspector of Mahim Police Station shall hand over the Chevrolet Enjoy LS Four Wheeler Motorcar bearing No.MH-43-AR-7513 to the present applicant.

Before that the applicant to furnish Indemnity Bond on non-judicial stamp paper of Rs.200/- for Rs.4,00,000/- (Rs.Four Lakhs Only) alongwith undertaking to the effect that,

(a) he will not alienate, destroy, give on rent or part with the possession of the above Chevrolet Enjoy LS Four Wheeler,

(b) he will produce the Chevrolet Enjoy LS Four Wheeler before the Police Station or the Court as directed by this Court.

(c) That the applicant to furnish three photographs of the Chevrolet Enjoy LS Four Wheeler from three different angles to the police station, which later-on to be filed alongwith the final report in the Court by the police.


(S. K. MUNGILWAR)

Addl. Chief Metropolitan Magistrate,
9th Court, Bandra, Mumbai

Dt. 29/09/2018