



**ORDER BELOW EXH. 1 IN CRIMINAL M.A. NO. 219/2019**

**(CNR No. MHJG190008892019)**

1. This is an application under Section 457 of the Code of Criminal Procedure. Applicant is seeking interim custody of his pickup goods vehicle of Mahindra and Mahindra Company's make bearing registration number MH-19/BM-3327. Said Vehicle is seized by Police Station, Parola in connection with Crime No. 225/2019 for an offence u/sec. 304-A, 279, 337, 338 of I.P.C. and u/sec. 184 and 134 (b) of the M. V. Act.
2. Say called from I.O. and Ld. A.P.P. They have no objection for grant of interim custody by imposing suitable conditions.
3. Perused the record. Considering copy of registration, prima-facie it appears that, applicant is the owner of above mentioned seized vehicle. Even it appears that at the time of incidence, the seized vehicle was having effective Insurance Policy. Trial will take lot of time to conclude. If said vehicle is kept unused for long period it will get junk and engine will get damaged. The vehicle if kept stationary in police station, it will lose its road worthiness. Therefore, it appears just to grant interim custody of the said vehicle to the applicant by imposing suitable conditions. Hence I pass the following order :--

**O R D E R**

1. Application is allowed.
2. Interim custody of pickup goods vehicle of Mahindra and Mahindra Company's make bearing registration number MH-19/BM-3327 be given to the applicant on his executing and indemnity bond of Rs. 6,00,000/- (Rs. Six Lacs

Only) on the following conditions. :--

- a) That the seized vehicle should be kept as it is and it's nature should not be changed in any way.
  - b) That the same should not be sold or alienated in any other way till the decision of trial in Crime No. 225/2019 registered with Police Station, Parola.
  - c) That the same shall be produced as and when directed till the trial in Crime No. 225/2019 registered with Police Station, Parola.
  - d) That the applicant shall provide the necessary documents in respect of the said seized vehicle to the Investigation Officer.
  - e) Investigation Officer to take photograph of seized vehicle at the expenses of applicant and get it attested by taking signature of applicant thereon.
  - f) I.O. to prepare detailed panchnama of present condition of the seized vehicle.
3. The applicant is directed to renew the insurance policy of said vehicle regularly during its custody with him.

4. The applicant shall execute the indemnity bond on the stamp of Rs. 200/- and handover it to the Investigation Officer of Crime no. 225/2019 registered with Police Station, Parola.

5. The I.O. / P.S.O. of concerned police station is directed to produce indemnity bond, photograph, panchnama, and copy of this order along with charge sheet, if filed.

6. Issue letter accordingly.

Date- 24-12-2019

(P.G. Mahalankar)  
Judicial Magistrate, First Class,  
Parola

I affirm that the contents of this P.D.F. file Order are same, word to word, as per the original Order.

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|---------------------------------------------|---|-----------------------------------------------|
| Name of Stenographer                        | : | A. S. Rane                                    |
| Name of the Court                           | : | C.J.J.D & J.M.F.C.,<br>Parola (Dist. Jalgaon) |
| Date of Order                               | : | 24-12-2019                                    |
| Order signed by the<br>presiding Officer on | : | 24-12-2019                                    |
| Order upload on                             | : | 24-12-2019                                    |