

ORDER BELOW EXH.1 IN Criminal M.A. no.241/2022
CNR no. MHPU01-009599-2022

1] This is an application filed by the applicant under Section 457 of Code of Criminal Procedure for releasing Force Motor Ltd. Traveller T1, Snow White colour, bearing registration no. MH-14-HU-9415 seized during investigation in CR No.394/2022 registered with Bhosari police station.

2] The respondent has filed say and objected this application on the ground that there may be hurdle in trial, if vehicle is returned to the applicant.

3] Heard. It seems that the police seized the above said vehicle in CR No. 394/2022. The said vehicle has been seized by the police during investigation of the crime. The applicant has filed verified copies of R.C. book of the vehicle, Form 38 (certificate of fitness), vehicle particulars, contract carriage permit, installation certificate, tax receipt, P.U.C. of the vehicle, insurance of the vehicle and Aadhar Card of the applicant. It seems from the documents tendered by the applicant that the applicant is the registered owner of Force Motor Ltd. Traveller T1, Snow White colour, bearing registration no. MH-14-HU-9415. The applicant has also filed affidavit vide Exh.4 along with the application. It is stated by the applicant that if the seized vehicle is kept in the police station in idle condition for unknown period, there is every possibility of damage to the vehicle due to weather conditions. The applicant has specifically stated that he is ready to give bond against the said vehicle and he will not transfer the said vehicle by any mode.

4] It discloses that the applicant is in need of the said vehicle for his daily affairs and he is the owner of the vehicle. If the vehicle is not released, then there is every possibility of damage to the vehicle, if it is kept in idle condition in the police station.

5] In such circumstances, considering applicant's ownership of the vehicle, it is just in the interest of justice to release the said vehicle in favour of the applicant on compliance of certain conditions. Thus, the application is to be allowed subject to compliance of following conditions. With this, I proceed to pass the following order:

ORDER

1] The application is allowed.

2] The seized vehicle i.e. **Force Motor Ltd. Traveller T1, Snow White Colour, bearing registration no. MH-14-HU-9415, Chassis no. MC1EFA3KP006484, Engine no. D67031864**, be released in favour of the applicant **Shripad Pandurang Patil** on execution of Supurtnama Bond of Rs.10,00,000/-(Rs. Ten Lakh lakh only) on following conditions-

- a] The applicant shall not dispose of above vehicle in any manner till disposal of this case.
- b] The applicant shall produce seized vehicle as and when required as per directions of the Court.
- c] The applicant shall not use the above vehicle in any offence or in any illegal activity.
- d] Yadi be issued to Bhosari police station, Pune.

Pune.
Date – 01.07.2022.

[S. P. Ponkshe]
Addl. Sessions Judge,Pune.

“ I affirm that the contents of the P.D.F. File Judgment are same word for word as per original judgment.

Name of Steno	-	S.V. Thakar (Stenographer G-1)
Court Name	-	Smt. S. P. Ponkshe, Addl.Sessions Judge,Pune.
Date of Order	-	01.07.2022
Order dictated on -		01.07.2022
Order transcribed on	-	01.07.2022
Order signed by P.O.	-	02.07.2022
Uploaded on	-	02.07.2022