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**IN THE COURT OF THE ADDITIONAL SESSIONS JUDGE
AT LIMBDI, DIST. SURENDRANAGAR**

CRIMINAL REVISION APPLICATION NO.20 OF 2026

Exh.

Shri Khodiyar Agency Administrator
Merubhai Sardulbhai Laltuka(Rabari)
Aged about 50 years,
Occupation: Business,
Residing at: Sudamada,
Tal. Sayla, Dist. Surendranagar.

...Applicant

Versus

The State of Gujarat

...Opponent

Learned Advocate Mr. V.R. Sondla for the applicant.
Learned APP Mr. K.B. Shah for the opponent – State.

APPLICATION UNDER SEC. 438 OF B.N.S.S.

:: O R D E R ::

1. The present application has been filed by the applicant-accused to release **muddamal vehicle Tata Motors 407 Model Regi. No.GJ-03-X-0776** in connection with the FIR being C.R. No.11211045260099/2026 registered with Sayla Police Station for the offenses punishable under Sections 110, 54 of B.N.S. and Section 9(1)B, 12(B) of Explosive Act and Section 4, 5 and 6 of

Explosive Substance Act.

2. Ld. Advocate appearing for the applicant has reiterated the facts of the application and further submitted that there is no need of the muddamal in the investigation. It is also submitted that if it remains in the police custody for long time, it may get damaged and non-use which will cause economic loss to the applicant-accused. It is submitted that, no purpose will be served by keeping this muddamal in police custody, and the condition of the muddamal will further deteriorate. It is submitted that the applicant-accused will abide by all the conditions imposed by this Court. Hence, it is prayed that his muddamal be released by allowing this application.
3. The opponent duly served with the notice and and Ld. APP appeared in the matter and has taken objection against the present application and relied upon the report vide Exh.4.
4. I have heard both the side at length, perused the documents produced with this application. I have gone through the opinion submitted by the IO and I have also gone through the order passed by the Ld. Judicial Magistrate First Class, Sayla. It is important to note that muddamal vehicle is seized in connection with the FIR being C.R. No.11211045260099/2026 for the offenses punishable under Sections 110, 54 of B.N.S. and Section 9(1)B, 12(B) of Explosive Act and Section 4, 5 and 6 of Explosive Substance Act. It is apparent from the record that the said muddamal vehicle is used for transportation of explosive substance and the owner of the vehicle has not produced

any document to show that he was legally engaged to transport the said explosive substance through this vehicle during that period. It is important to note that the transport of explosive substance is incredible hazardous to human life and the environment and if, explosive substances transported through the vehicle, there are some guideline to follow the same.

5. Therefore, in the present, it seems that the vehicle involved is without any permission or guideline transport the explosive substance during that time and the applicant has not produced any document to show that the guideline was being followed. Moreover, without government sanction use of explosive for quarry is disturbing ecological system and once it is released, offence may be repeated, which may create danger in the society and also hazardous to ecological system and hence, in view of above discussion, this court does not find any interference with the order passed by the Ld. Judicial Magistrate First Class. Hence, following order is passed :

: O R D E R :

The present criminal revision application is hereby rejected.

Signed and pronounced in the open Court on this 12th day of June, 2026.

Date:12/06/2026

Place:Limbdī

(M.D. Pandey)
Additional Sessions Judge,
Limbdī, Dist. Surendranagar
Code No.GJ01542