

MHAU100006382026



Cri.M.A./124/2026

Arun Tukaram Ghusale Vs. State of Maharashtra

ORDER BELOW EXH.1

01. This application is filed Under Section 503 of the BNSS, in CR No. **108/2026** for the offence punishable u/s. 352, 115(2), 324(4), 308(2), 309, 3(5) of BNS to seek interim custody of seized vehicle i.e. Two Wheeler Honda Company Shine 125 bearing No. MH-20/FX-9214.

02. Applicant has submitted that, he is the owner of seized vehicle and it is required for his daily use. He is ready to abide conditions imposed by this Court.

03. The learned A.P.P. and I.O. have filed their say and submitted that, the offence is serious and vehicle may be required at the time of trial, charge-sheet is yet to be filed. It is further submitted that, applicant may change the nature of vehicle and it may adversely affect to the prosecution and trial. Hence prayed to reject the application.

04. The applicant has filed original copies of following documents-

- a] Copy of R.C. book.
- b] Copy of FIR
- c] Copy of Adhar Card.
- d] Copy of insurance.

05. From the above documents the applicant appears to be owner of the seized vehicle. No purpose would be served in keeping the seized vehicle lying in the police station. The possibility of damage to the vehicle can not be ruled out if it is kept lying in the police station. The trial would not be concluded in near future. The seized vehicle is used by the applicant for day to day purposes. For this reason also, if application is allowed it would not affect prosecution case. On the other hand the seized vehicle is used in serious offences. Hence it will proper to impose certain conditions while releasing the said vehicle.

06. In view of above discussion I pass the following order.

ORDER

1. The application is allowed.
2. The vehicle, bearing its registration No. **MH - 20/FX -9214** Two Wheeler Honda Company Shine be handed over to the applicant namely **Arun Tukaram Ghusale** R/o- Sulibhanjan, Tq. Khultabad, Dist.Aurangabad till conclusion of the trial on executing bond of Rs.1,50,000/- with below mentioned conditions,
 - a) The applicants to undertake that, he shall not sell, transfer or make any change in the seized vehicle without prior permission of the court.
 - b) The applicant to maintain and preserve the vehicle in all respect.
 - c) The applicant shall produce the vehicle in the court as and when directed.
 - d) The Investigating officer is directed to take necessary

photographs of vehicle as well as prepare the detail panchanama regarding the condition of the vehicle and will produce it alongwith the charge sheet.

3. Issue letter to the Khultabad Police Station, Khultabad after compliance of the order.

Place : Khultabad
Date : 01 August, 2026.

(A.A. Pandey)
Jt. Judicial Magistrate First Class,
Khultabad.