

ORDER BELOW EXH. 01 IN NOTICE CASE No. 1151/N/2022

1. This is an application filed by applicant Rahul Singh Mahiarya for getting the interim custody of seized Hyundai Motor Car bearing registration no. RJ-27-UB-5678 seized in crime no. 672/2022 registered in police station Oshiwara of the offences punishable under Sections 381 and 427 of the Indian Penal Code.

2. The applicant submitted that he is owner of the seized car. He is ready to abide by all the conditions which may be imposed by this court. Hence, interim custody of seized car be given to him.

3. I.O. filed his say and submitted no objection to the application. The learned A.P.P also filed his say and submitted that conditions may kindly be imposed while allowing the application. I have gone through the record. From the documents filed on record, M/s. Hinglaj Hotels And Expo. Pvt. Ltd. appears to be the registered owner of seized car and the applicant is director of the said firm. The application is supported by the affidavit of the applicant. The applicant is ready to abide by all the conditions which may be imposed by this court. Therefore, considering the nature of the offence and say of I.O., no purpose would be served by keeping the seized car in police station. Therefore, it would be proper to handover the interim custody of the seized car to the applicant by imposing necessary conditions. Hence, the order.

ORDER

1. The application is allowed.

2. Interim custody of seized Hyundai Motor Car bearing registration no. RJ-27-UB-5678 be handed-over to the applicant on execution of Supurtnama Bond of Rs. 30,00,000/- (Rupees Thirty Lacs only), subject to the condition that the applicant shall produce the car as and when directed by the court, till disposal of the case.
3. I. O. is directed to prepare detail panchnama of seized car and obtain the photograph of the seized car before handing over the same to the applicant and submit the same with the charge-sheet.
4. Inform to police station Oshiwara accordingly.

Date : 15/06/2022

(Imran R. Marchiya)
Metropolitan Magistrate,
Railway Mobile Court,
Andheri, Mumbai.