

IN THE COURT OF METROPOLITAN MAGISTRATE,
32ND COURT, BANDRA, MUMBAI.

Notice No. 76/N/2018.
C.R. No. 476/2018.
Nirmal Nagar Police Station.

Mr. Anis Sharif Khan

... Applicant

V/s.

**Sr. Inspector of Police,
(Nirmal Nagar Police Station)**

...Respondent.

ORDER BELOW APPLICATION FOR RETURN OF PROPERTY
VIZ. HONDA ACTIVA MOTORCYCLE.

By this application the applicant **Mr. Anis Sharif Khan**, is seeking return of Honda Activa motorcycle, bearing registration No. MH-03-BR-5248 as quoted in the application, being entitled for the same. It is further submitted that, he purchased the said vehicle from Mr. Mohammed Aziz Sarfaraj Sayyed in the year 2016 but NOC of the Bank was not obtained by seller hence said vehicle is still in the name of Mr. Mohammed Aziz Sarfaraj Sayyed. It is further submitted that the said motorcycle was seized by Nirmal Nagar police station, in pursuant of case of theft. He is ready to produce the said property whenever required till final disposal of case. The application is supported by various documents such as copy of F.I.R., Registration Certificate, affidavit cum NOC of registered owner of said motorcycle, affidavit of applicant, RC book, insurance police, Aadhar card, driving licence etc.

2. Accordingly say of Investigation Officer and learned APP were called. They both have failed to file their say.

3. Heard argument, perused the record.

4. Considering the reasons mentioned in application supported by documents, it is evident that, the aforementioned motorcycle may be temporarily released in favor of the applicant, being entitled for the same, subject to renew insurance policy of said vehicle. Hence, upon imposing certain conditions the said motorcycle may be released in favor of applicant. Hence, the following order :-

ORDER

- 1 The seized Activa motorcycle, bearing registration No. MH-03-BR-5248 be released in favor of applicant namely, **Mr. Anis Sharif Khan** on his furnishing indemnity bond of ₹. 50,000/-, subject to renew insurance police of said vehicle.
- 2 He shall produce the said motorcycle as and when required by the Court.
- 3 Investigation Officer shall obtain photographs of seized motorcycle from all angles for its proper identification in future.
- 4 Copy to the concerned police station for compliance of this order.

Sd/-

(S. N. Shinde)

Metropolitan Magistrate,
32nd Court, Bandra, Mumbai.

Date : 21.06.2018
ssl.

**IN THE COURT OF ADDL. CHIEF METROPOLITAN MAGISTRATE,
EVENING COURT NO. 2, ANDHERI, MUMBAI.**

Notice No. 378/N/2014.
C.R. No. 150/2014.
MIDC Police Station.

Jyoti Shirin Chaurasiya

... Applicant

V/s.

**Sr. Inspector of Police,
(MIDC Police Station)**

...Respondent.

**ORDER BELOW APPLICATION FOR RETURN OF PROPERTY
VIZ. HONDA AVIATOR MOTORCYCLE .**

By this application the applicant Jyoti Shirin Chaurasiya, is seeking return of one Honda Aviator motorcycle, bearing registration No. MH-02-CS-8204 as quoted in the application, being the registered owner. It is further submitted that, the said motorcycle was seized by MIDC police station, as alleged. She is ready to produce the said property whenever required till final disposal of case. The application is supported by various documents such as copy of F.I.R., Registration Certificate and affidavit of applicant etc.

2. Accordingly say of Investigation Officer and learned APP were called, they filed their respective say and thereby rendered their no objection to release the said motorcycle in question.

3. Heard argument, perused the record.

4. Considering the reasons mentioned in application supported by documents, it is evident that, the aforementioned motorcycle may be temporarily released in favor of the applicant, being registered owner of the same. Hence, upon imposing certain conditions the said motorcycle may be released in favor of applicant. Hence, the following order :-

ORDER

- 1 The seized Honda Aviator motorcycle, bearing registration No. MH-02-CS-8204 be released in favor of applicant viz. Jyoti Shirin Chaurasiya on her furnishing indemnity bond of ₹. 45,000/-.
- 2 She shall produce the said motorcycle as and when required by the Court.
- 3 Investigation Officer shall obtain photographs of seized motorcycle from all angles for its proper identification in future.
- 4 Copy to the concerned police station for compliance of this order.

Date : 14/07/2014.
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(D.B. Patange)
Addl. Chief Metropolitan Magistrate,
Evening Court No. 2, Andheri, Mumbai.