

**IN THE COURT OF SPECIAL JUDGE, BARSHI,
DIST. SOLAPUR**
(Presided over by Suraj V. Kendre)

**Criminal Misc. Application No. 538 of 2026
(CNR No.MHSO-21-000969-2026)**

MHSO2100096
92026



Swapnil Baburao Devadkar Vs. State

Order Passed Below Exh.1

01. The present application is filed U/s.503 BNSS by applicant namely **Swapnil Baburao Devadkar** for releasing the Maruti Swift VXi four wheeler vehicle bearing registration No. MH-45-AL-4612, having Chassis No. MBHCZC63SLK657409 and Engine No.K12MP1281536, seized in C.R. No. 439/2026 registered at Karmala Police Station, Karmala for offences punishable under sections 127(2), 115(2), 189(2), 351(2), 190, 191(2) of B.N.S. and punishable under sec.3(1)(r), 3(1)(s), 3(2)(va) of S.C. & S.T. (Prevention of Atrocities) Act.

02. It is the case of the applicant that, he is registered owner of seized vehicle. The said vehicle is lying open to sky at the concerned Police Station. It's condition is deteriorating day to day. He requires the said vehicle for his daily use. If the said vehicle is kept unused for long time, it is likely that it will get damaged. He will not change the nature of vehicle and will not dispose it of or create third party interest in it.

He is ready to abide the conditions that may be imposed by the Court. On these grounds, applicant has filed this application.

03. Prosecution has strongly resisted the application by filing say on the grounds that, the vehicle was used by the accused for commission of offence. It is the apprehension of the prosecution that, if the seized vehicle is given in custody of applicant, it is likely that he may change its nature or sell, mortgage or create third party interest in it and/or shall sell the vehicle to any other State. On these grounds, prosecution has prayed that, the application be rejected.

04. Heard advocate for the applicant and Ld. A.P.P. They argued as per the application and say respectively. To avoid repetition, I am not reproducing their arguments.

05. It is not disputed that the seized vehicle is registered in the name of applicant. Applicant has filed on record original copies of Aadhar Card, R.C. book, Driving License of driver and insurance cover of the said vehicle. There is no specific reason mentioned by the prosecution as to how the vehicle is required for trial. From record it seems that the applicant is registered owner of the seized vehicle. Till today nobody has claimed the custody of vehicle. If the vehicle is kept unused at the police station, it shall certainly get damaged. Hence, I find it would be just and proper to give interim custody of the vehicle to the applicant by imposing appropriate conditions and pass following order.

O R D E R

(1) Application is allowed.

(2) The P.I. of Karmala Police Station or the Investigating Officer, as the case may be, having custody of the aforesaid Maruti Swift VXI four wheeler vehicle bearing registration No. MH-45-AL-4612, having Chassis No. MBHCZC63SLK657409 and Engine No. K12MP1281536, seized in C.R. No. 439/2026 registered at Karmala Police Station, Karmala for offences punishable under sections 127(2), 115(2), 189(2), 351(2), 190, 191(2) of B.N.S. and punishable under sec.3(1)(r), 3(1)(s), 3(2) (va) of S.C. & S.T. (Prevention of Atrocities) Act is directed to handover the same to the applicant **Swapnil Baburao Devadkar** after his identification, verification of the documents of vehicle, by taking photographs of the vehicle from all sides and on his executing indemnity bond of Rs.5,00,000/- on conditions that applicant will not change the nature of the vehicle till conclusion of trial, he will produce the same before the Court as and when required and he will not alienate it in any manner and hand over its custody to any other person and/or shall not create third party interest in it without the prior permission of this Court.

(3) Accordingly, Yadi be issued to Karmala Police Station.

(Dictated and pronounced in open court).

Date :11.08.2026

**(Suraj V. Kendre),
Special Judge, Barshi**

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Order below Exh.1 in Cri.M.A. No.538/2026

CERTIFICATE

I affirm that the contents of this PDF file Judgment/Order is same word to word as per the original Judgment/Order.

(a)	Name of the Stenographer :	B.D.Kadam (Steno Grade 1)-Cum-Gazetted Officer-2
(b)	Court :	District Judge 1 and Addl. Sessions Judge, Barshi
(c)	Judgment/Order signed by PO on :	11/08/2026
(d)	Judgment/Order uploaded on :	11/08/2026