

Order below Exh.13

This is an application filed by Vilas Pralhad Rathod for releasing Hero HF Delux Motor Cycle bearing Registration No. MH.-18-AS-5075 seized in Crime No. 212/2022, offence punishable under Section 12(a) of Maharashtra Gambling Act registered with Mehunbare Police Station. (herein referred as seized vehicle)

2. Perused the application and documents filed on the record. The application is supported by the affidavit (Exh.4), copy of Registration Certificate book of the vehicle and copy of Aadhar Card for his identification purpose. On perusal of the documents, it appears that, the vehicle is standing in the name of applicant.

3. The learned A.P.P. has no objection to hand over the seized vehicle to the applicant. Moreover, the I.O. has objected to release the seized vehicle contending that there is a possibility to transfer and change the said vehicle.

4. From documents i.e. copy of R.C. book of seized vehicle, it appears that it is standing in the name of applicant.

5. Hence, as per record it appears that the police have seized vehicle from complainant in the Crime No. 212/2022. As applicant has shown his ownership he is entitled for the possession of the same. Therefore, no purpose will be served by keeping the vehicle stationary in the police station. The possibility of damage to vehicle can not be ruled out if kept lying in the police station. In result, the following order. :-

ORDER

1. Application is allowed.
2. The seized Hero HF Delux Motor Cycle bearing Registration No. MH.-18-AS-5075 seized in Crime No. 212/2022 registered with Mehunbare Police Station be handed over to the applicant namely **Vilas Pralhad Rathod** being registered owner of the vehicle till the conclusion of the trial on his executing indemnity bond of Rs.60,000/- (Rs. Sixty thousand only).

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3. The applicant to undertake that he shall not sale or transfer the said vehicle without prior permission of the Court. The applicant to maintain and preserve the said vehicle in all respect.
4. The applicant shall produce the said vehicle in the Court as and when directed by the Court.
5. The Investigating Officer is directed to prepared detailed panchanama while hand-overing the vehicle to the applicant and submit it into the Court.
6. **The applicant is directed that after getting the vehicle on supurtnama he has to furnish the copy of Insurance of the vehicle to Investigating Officer within one month of receipt of vehicle and on failure the Investigating Officer has directed to seize the vehicle again in this crime.**

Sd/-xxx

(S.D. Yadav)

Dated : 12/10/2022.

Judicial Magistrate, F.C.
(Court No.1) Chalisgaon.