


MHAH180004962026 	<b><u>Cri.M.A.No.32/2026.</u></b> Mahesh Yashwant Sathe Vs. Forest Officer Rahuri
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**ORDER BELOW EXH.1**

The applicant Mahesh Yashwant Sathe filed this application for return of seized muddemal in C.R.No. 3/2026 of Forest Office Rahuri. Read the application, say filed by Ld.A.PP and forest officer. Perused record and documents. Heard argument of learned counsel P. A. Dhanwade for the applicant.

2) The applicant has filed present application under section 503 of Bhartiya Nagarik Suraksha Sanhita 2023 for releasing seized vehicle i.e. Maruti Suzuki Super Carry Pick Up Truck bearing registration no. MH-16 CD 8058, Chassis No. MA3EDC03TRB308956 and Engine No. K12NN4207280, in connection with Crime No.3/2026 of Forest Office Rahuri for the offence punishable under section 26(1-a),(a),(e),(f) of Indian Forest Act 1987 and Sec 52(1), 41(1), 42(2) of Maharashtra Forest Rule 2014. Forest Officer filed his say on Exh.6 and submitted that, the seized property is liable to be confiscation under sec. 52(1) of Indian Forest Act. The forest Officer has power to release or seized of confiscation of seized vehicle. Hence, prayed for reject the application. Ld. APP filed say below Exh. 7. If the application is released then, there is possibility of commission of similar crime. Hence prayed for reject the application.

3) Annexed documents i.e. Copy of FIR, Registration Certificate of vehicle bearing No. MH.16C.D. 8058, Adhar Card of applicant, the registration certificate shows that the Mahesh Yashwant Sathe is registered owner of seized vehicle.

4) Perused the application and FIR it shows that, the vehicle seized by Forest Officer Rahuri in connection of offence punishable under sec. 26 of Indian Forest Act. As per the say filed by forest officer it shows that, confiscation proceeding is going on in respect of seized vehicle. Once

forest officer initiate confiscation proceeding the magistrate jurisdiction under Cr. P. C. is bared. The magistrate can not invoke jurisdiction to released seized vehicle once the authorized officer starts the confiscation process. There is bar under sec. 52(c) and 52 (d) of Indian Forest Act. Therefore this court has no jurisdiction to entertain the application. Accordingly, I pass the following order.

**ORDER**

- 1] The application is rejected.

Rahuri.  
Dt.02/04/2026.

( P. H. Patil )  
Judicial Magistrate First Class,  
Court no.2,Rahuri