



ORDER BELOW EXH. 1
(Passed on:17.03.2026)

1. Shri. Vaibhav Manohar Sawatkar resident of Near Sindhu Bank, Malani Complex, in front of Police Station, Murtijapur Tal. Dist. Akola has moved the present application under Section 503 of The BNSS. The applicant is seeking interim custody of EXTER 1.2 MT KAPPA SX(O) connet Car having R.T.O. registration No. MH-42-BJ-5734, Chassis No.MALB581CLPM035917, Engine No. G4LAPM722026 (here-in-after referred to as **“the Vehicle”**) seized by Pathardi Police Station in Cr. No.141/2026.
2. It is contended that, the police have seized above vehicle. The applicant is owner of the above said vehicle. The applicant is using the vehicle for his personal use. Applicant under takes that, he will not transfer, change, alienate, sale the vehicle.
3. The Learned A.P.P. has filed his say and contended that, the seized vehicle is an important evidence in the crime and will be required during trial. He further submitted that, if the vehicle is released the applicant may sale, change it's colour. Hence, he prayed to reject the application. The Investigation officer filed say at (Exh.6) and prayed to pass necessary order.
4. Heard both the sides. The applicant has filed the copy of FIR, copy of certification of registration of the vehicle (Exh.07), Insurance copy (Exh.09) and copy of aadhar card of applicant (Exh.08). It shows that, the vehicle is owned by the applicant. The vehicle is best maintained in running condition. If it is kept at Police Station under open sky, it will be certainly get damaged and its utility will be lost.

5. The Hon'ble Supreme Court, in the case of *Sundarbhai vs. State of Gujrat*, reported in AIR (2003) SC 638, held that,

'whatever may be the situation, it is of no use to keep such seized vehicle at police station for long period and it is for the magistrate to pass appropriate order by taking appropriate bond.'

6. In the case in hand, the investigating officer does not require the seized vehicle for the purpose of investigation. The vehicle is meant for the transport of material. Considering, the value of vehicle, it would be appropriate to impose certain conditions while handing over the interim custody of the vehicle to the applicant. Therefore, I proceed to pass following order.

<u>ORDER</u>	
1.	The application is allowed.
2.	The PSO Pathardi Police Station, Pathardi is directed to handover possession of the EXTER 1.2 MT KAPPA SX(O) connet Car having R.T.O. registration No. MH-42-BJ-5734, Chassis No.MALB581CLPM035917, Engine No. G4LAPM722026 on executing <i>supurtnama</i> bond of Rs.10,00,000/- (Rs. Ten Lakh only) to the applicant Shri. Vaibhav Manohar Sawatkar resident of Near Sindhu Bank, Malani Complex, in front of Police Station, Murtijapur Tal. Dist. Akola if the said vehicle is not required under any other offence, law or proceeding.
3.	The applicant is directed not to create any third party interest either by way of sale, mortgage, or alter the vehicle in any manner.
4.	The applicant shall not use the said vehicle in such kind of

	crime again.
5.	The applicant is directed to produce the vehicle as and when directed by this Court.
6.	The applicant shall furnish at his own expenses to the I.O., two self attested colour photographs of the vehicle, for its identification purpose. The I.O shall facilitate such photography.
7.	The I.O. shall upon receiving such photographs, counter sign the same, prepare a possession receipt-cum-panchnama and handover the custody of the vehicle to the applicant and forward the photographs and the possession receipt to the Court forthwith.
8.	The <i>supurtnama</i> bond, receipt-cum-panchnama and R. & P. of this proceeding be tagged with the police report which may be filed in the above crime.
9.	The copy of this order be sent to the I.O. for compliance and further necessary action.
	(Dictated directly on computer to the stenographer, script checked, revised and pronounced in the open court)

Date : 17/03/2026.
Pathardi.

(Shirishkumar D. Waghmare)
J.M.F.C., (Court No.2) Pathardi.

I affirm that the contents of this P.D.F file order/judgment are same word for word as per original judgment.

<i>Name of steno</i>	<i>Rohini Amate,</i>
<i>Name of court</i>	<i>Shirishkumar D. Waghmare, Jt. C.J.J.D.& J.M.F.C., Pathardi,</i>
<i>Judgment/order Date</i>	17.03.2026.
<i>Judgment/order signed by Presiding Officer on</i>	17.03.2026.
<i>Judgment/order uploaded on</i>	17.03.2026.