

MHAH250002942026



Cri.M.A.No.18/2026
Pravin Uttam Kangude
VS
The State of Maharashtra

ORDER BELOW EXHIBIT.1.

Nature of the Application-

1. This is an application filed by Pravin Uttam Kangude (for short 'the applicant') seeking custody of vehicle being TATA Passenger Electric Mobility Ltd. Company TATA Nexon.EV.EMP+45RDK bearing registration No. MH-16-DS-0002, Chasis No. MAT635344SAA09861, Engine No.TZ180XS91AB25012174 (for short the 'vehicle') seized in crime register no. 8/2026, registered with Supa Police Station.

Contents in the Application-

2. The applicant has contended that he is the owner of the said vehicle. The said vehicle is seized in Cr.No.8/2026 by police. The applicant is in need of the vehicle. The vehicle is lying at the police station, there is no facility in the premises of police station to safe guard the vehicle and it will result in damaging of the vehicle. The said vehicle is required by the applicant for his daily business. Regular work of the applicant is totally depending on the seized vehicle. The applicant is ready to obey the conditions as imposed by the Court. On these grounds the applicant has prayed to grant

the application.

Contents in the Say of Investigating Officer and APP-

3. The investigation officer (for short 'I.O.') and the Assistant Public Prosecutor (for short 'A.P.P.') have filed their say and objected that the applicant may sale the vehicle or change the nature of vehicle. There is possibility of commission of similar crime. Therefore, they prayed for rejection of the application.

4. The applicant has produced on record the verified copy of R.C.Book, Copy of insurance, Verified copy of his Adhar Card and Xerox copy of F.I.R. After going through the contentions in the application and the copy of the certificate of the registration there cannot be any dispute that the vehicle is owned by the applicant and he is its owner by purchase. No other person except the applicant has appeared seeking custody of the vehicle till today.

5. The applicant is the owner of the vehicle seized and there is every possibility of rusting or deterioration of the said vehicle, if it is kept at the police station for indefinite period i.e. till disposal of the trial. Under such circumstances, it is necessary to make adequate arrangement so as to maintain the seized vehicle in proper condition and ensure its production, if necessary, during the trial as and when required. In view of scope of section 503 of BNSS., I am of the opinion that the applicant is entitled to receive custody of the vehicle as prayed for.

6. As far as the objections raised by the learned APP and I.O, same can be taken care by imposing necessary conditions.

Thus, precaution is required to be taken by imposing conditions upon the applicant that he shall not alter the structure of the said vehicle in any way whatsoever as well as he shall make available the said vehicle and shall produce the said vehicle before the Court as and when required. Also, if the proper panchanama before handing over vehicle is prepared, that can be used in evidence instead of its production before the Court during the trial. It is of no use to keep such seized vehicle at the police station for a long period.

7. In view of the above discussion and considering the aforesaid facts, in the interest of justice, I am inclined to grant the application by imposing conditions. Accordingly, I pass the following order.

ORDER

1. The application is allowed.

2. The interim custody of the vehicle bearing registration No. MH-16-DS-0002, Chasis No.MAT635344SAA09861, Engine No.TZ180XS91AB25012174 be handed over to the applicant on his executing Supurtnama, bond in the sum of Rs. 10,00,000/- (Ten Lakhs) before the concerned I.O. upon following terms and conditions.

a) The applicant shall not transfer, alienate and /or create any third party interest in the vehicle in any manner.

b) The applicant shall not change the colour, nature and appearance of the said vehicle and keep it as it is, so as to

be identifiable.

c) The applicant shall produce 4 colour photographs of the said vehicle, which will disclose its full identity. Concerned Police is directed to facilitate the Photographs.

d) The applicant shall produce the vehicle before the Court as and when required or ordered to do so. The applicant shall also produce the said vehicle as and when required for investigation.

e) The bond shall stand forfeited to the State in case of failure to abide by the conditions herein.

3. This proceedings be tagged with the case papers as and when final report is received in the said crime.

4. After execution of the Supurtnama bond and furnishing the colour photographs by the applicant, the investigating officer shall hand over the custody of the said vehicle to the applicant after preparation of necessary panchanama.

5. Issue copy of this order to the concerned Investigating Officer for its compliance. Concerned PSO to file compliance report within 7 days from this order.

Place :-Parner.

Date :- 11.03.2026.

(S.R. Kanakdande)

Judicial Magistrate First Class,
Court No.3, Parner.