

MHAU070019582023



**ORDER BELOW EXH.08**  
**(Passed on 23.07.2024)**

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01. The present application is filed by applicant namely Mahesh Sahebrao Dabke to release Hyundai Motor India Ltd Company I 20 Asta (O) CRDI Car bearing Registration No. MH 20 EJ 6292, Chasis No.MALBM51RLJM495598, Engine No.D4FCGM511048 seized by the Waluj Police in connection with C.R.No.34/2024 under sections 5, 23,25,a Of Pr-Conception And Pre-Natal Diagnostic Techniques (Prohibition Of Sex Selection) Act. (hereinafter it is called as 'seized property').

02. Perused the application, say of I.O. and Ld. A.P.P. Also perused the charge-sheet and documents filed along with the application.

03. Heard the Ld. Advocate for the applicant and Ld. A.P.P. for the state.

04. I.O. has filed his say at Exh. 14 and submitted that, accused Satish Sonawane has used the seized vehicle in commission of crime. The applicant has given the seized vehicle to use in commission of crime in spite of knowledge

that already crime is registered against the accused, therefore, the application be rejected. The Ld. A.P.P. also objected the application on the ground that seized property is part and parcel of the evidence, if released the applicant would alter and change the nature of the property and would create problem in identification.

05. Having gone through the application and the say filed. It appears that the applicant is the owner of the property. However, the vehicle is seized from the possession of accused Satish Sonawane. He has used the seized vehicle in commission of crime. In seized vehicle sonography machine was kept for determination of sex by visiting at various places for illegally sex selective abortion. By the means of seized property, the offence is committed. The seized property is part and parcel of the evidence in the case. If seized vehicle is released, there are chances of further commission of similar offence and changing the nature of the property thereby defeating the trial. Therefore, I declined to allow the application. Hence, I pass following order.

**ORDER**

1. The application is rejected.

Date- 23.07.2024.

(S. S. Agrawal)  
Judicial Magistrate First Class,  
Gangapur

CERTIFICATE

I affirm that the contents of this P.D.F. file order are same, word to word, as per the original Order.

Name of Stenographer : Sanjay V. Shinde,  
Name of the Court : C.J.J.D & J.M.F.C.,  
Gangapur (Dist. A'bad)  
Date of Order : 23.07.2024  
Order signed by the : 26.07.2024  
presiding Officer on  
Order upload on : 26.07.2024