

**ORDER BELOW EXH.1****Cri.No. 1052/2022**

This is an application moved by Shri. Yogendra Shrawan Bhelave under section 457 of Code of Criminal Procedure for release of seized vehicles having Registration No. MH-35/AS-2598, Chasis.No. ME4JC83CJMG006501 Engine No.- JC83EG2097576. (Herein after mentioned as seized vehicle).

2. The applicant submits that the Police Station, Tirora seized vehicles in crime number 1052/2022. The applicant further submitted that he is the owner of seized vehicle. In support his contention he filed his affidavit, verified copy of certificate of registration, Insurance, Adhar Card and Driving Laicence of above said seized vehicle as per list of document below Exh. No.3. On perusal of verified copy of certificate of registration certificate of seized vehicle, it reveals that the applicant is owner of above said seized vehicle.

3. I have called say of investigation officer and ld. A.P.P. Say filed by ld. A.P.P. below Exh.01 and say of investigation officer is at Exh. No.5. Both raise formal objection to released seized vehicles on supratnama.

4. The applicant is the owner of the seized vehicle. Till date no one claim interim custody of seized vehicle except applicant. Hence, applicant is entitled to the interim custody of seized vehicle.

5. If seized vehicle remains in the custody of Police Station, Tirora, then there is possibility of degradation, loss and damages to seized vehicle. Considering, papers of seized vehicle, I found no hurdle to give interim custody of seized vehicle to applicant on Supurtnama with certain conditions. Hence, the following order:

ORDER

1. Application is allowed.
2. Seized vehicle bearing Registration No. MH-35/AS-2598, Chasis.No. ME4JC83CJMG006501 Engine No.- JC83EG2097576 be released in favour of applicant Shri. Yogendra Shrawan Bhelave on execution of Indemnity/Supurtnama bond of Rs. 50,000/-. (Rs. Fifty Thousand only) before Police Station, Tirora.
3. The applicant Shall not sale transfer or dispose off or create any charge over the said seized vehicle till the final decision of the case arising out of Cr. No. 1052/2022.
4. The applicant shall not cause any change in or material alteration in the said seized vehicle till the disposal of the case.
5. The applicant shall produced the seized vehicle in the court as and when directed by the Court.
6. The Investigation officer of Police Station, Tirora shall prepare the detail Panchanama as to the condition of seized vehicle before released to the applicant. The Investigation Officer also directed to take colour photographs of said seized vehicle in different angles at the cost of applicant and produced photographs with charge-sheet.

Sd/-

Date:- 21-10-2022.

(D.R.Badave)
Judicial Magistrate First Class,
Tirora.