


<p>MHBI060005822026</p> 	<p><u>Criminal Misc. Application No. 51/2026.</u> Makardhwaj Bhaurao Chalak V/s. State of Maharashtra <u>CNR No : MHBI060005822026</u></p>
---	---

ORDER BELOW EXH-1

01. This application is filed by the applicant for seeking interim custody of TATA LPT 3118 Truck bearing registration no. MH-15/GV-0125 having its chassis no. MAT466472J2J21724 and engine no. ISBE5.91804081J63728106 seized in Cr. No. 40/2026 of Police Station, Ambajogai Rural, Tq. Ambajogai, Dist. Beed, registered for the offence punishable U/s. 106 & 281 of B.N.S., 2023.

02. It is the contention of the applicant that, seized vehicle is kept at Rural Police Station, Ambajogai, Tq. Ambajogai, Dist. Beed. Investigation of the above crime is completed. Applicant requires the vehicle in his custody, as he is the owner of the seized vehicle. It is further contention of applicant that, if the seized vehicle will not be released, the engine and other parts of the vehicle will be damaged and its value will be diminished. Hence, it is prayed that, seized TATA LPT 3118 Truck bearing registration no. MH-15/GV-0125 having its chassis no. MAT466472J2J21724 and engine no. ISBE5.91804081J63728106 may kindly be released and handed over into the custody of the applicant as owner.

03. Say of A.P.P. and I.O. was called. The concerned Investigating Officer of Ambajogai Rural Police Station has filed his say, which is at Exh. No. 5, whereby it is contended that, he has objection to

return the property to the applicant.

04. The Ld. A.P.P. has filed his say on the application itself. He has also objection to return the property as per the say of I.O.

05. Perused the record. Heard, the learned advocate appearing on behalf of the applicant. Applicant has relied on xerox copy of F.I.R. of Cr. No. 40/2026 of Rural Police Station, Ambajogai which is below list Exh. 3 and xerox copy of certificate of registration of TATA LPT 3118 Truck bearing registration no. MH-15/GV-0125 having its chassis no. MAT466472J2J21724 and engine no. ISBE5.91804081J63728106 standing in the name of applicant. Applicant also submitted the copy of his Aadhar Card.

06. The applicant has filed xerox copy of certificate of registration of seized vehicle. This fact prima facie shows that, he is the owner of the said vehicle. Hence, considering above mentioned fact and say filed by A.P.P. and Investigating Officer, I am of the opinion that, applicant is entitled to the interim custody of the seized vehicle, as the possibility of damage to said vehicle can not be ruled out for want of its use in the custody of police. But, at the same time certain terms and conditions are required to be imposed while giving the interim custody of said vehicle to the applicant, so that the said vehicle can be procured before court, during course of trial. Hence, following order is passed.

:: ORDER ::

01. The concerned Investigating Officer of Rural Police Station, Ambajogai, Tq. Ambajogai, Dist. Beed is directed that, TATA LPT 3118 Truck bearing registration no. MH-15/GV-0125 having its chassis no. MAT466472J2J21724 and engine no.

ISBE5.91804081J63728106 seized in Crime No. 40/2026, U/s. 106 & 281 of B.N.S., 2023, be handed over to the applicant Makardhwaj Bhaurao Chalak after furnishing Indemnity Bond of ₹ 25,00,000/- (₹ Twenty Five Lakhs Only.) by the applicant, on his proper identification.

02. The concerned Investigating Officer is also directed that the vehicle be released after due verification of Insurance Policy Papers.
02. The applicant is directed to produce the seized vehicle in the Court as and when ordered by the Court, during course of trial and he is further directed not to change, alter, transfer or modify the said vehicle.
03. The applicant shall furnish Indemnity Bond at Rural Police Station, Ambajogai, Tq. Ambajogai, Dist. Beed.
04. The Investigation Officer is directed to prepare proper detail Panchanama while handing over the interim custody of the seized vehicle and also to snap Color Photographs of the same and submit the same as well as indemnity bond along with charge-sheet.
05. The Application is accordingly disposed of.

Date: 17/03/2026
Place: Ambajogai

(Pravin P. Sagade)
Judicial Magistrate, First Class,
(Court No.1) Ambajogai, Dist. Beed.

Cri. M.A. No. 51/2026.
Makardhwaj V/s. State.

CNR No : MHBI060005822026.
Order Below Exh. 1.

:: Certificate of Stenographer ::		
"I affirm that the contents of this PDF file are word to word as per original Order."		
Dictated On :	17/03/2026.	(Akash Kabne) Stenographer Grade – 3 Jt. C.J.J.D. & J.M.F.C., Ambajogai.
Transcribed On :	17/03/2026.	
Checked & Signed On :	17/03/2026.	
Date : Place : Ambajogai.	17/03/2026.	