

Order below Exh. 1 in Cri. M. A. no.163 of 2021

The present application is filed for return of property i.e. Hero Honda Splendor Plus Motorcycle bearing registration no. MH-21-BM-2769.

2. The applicant contended that he is the owner of Hero Honda Splendor Plus Motorcycle bearing registration no. MH-21-BM-2769. The said vehicle was seized by Dindrud police station in Crime Register no 144 of 2021 for the offences punishable under Section 379 of the Indian Penal Code. The said vehicle is kept in the said police station. The applicant would suffer loss in case the said vehicle is kept in the police station and would deteriorate. He is ready to abide by the conditions imposed by this Court.

3. The investigating officer vide his say contended that he has no objection for the same.

4. The learned A.P.P. contended that the appropriate order may kindly be passed.

5. Perused the application, say of investigating officer and Learned A.P.P. Heard.

6. In support of the application, the applicant filed the verified copy of certificate of particulars of vehicle and Adhar card and Pan card regarding the ownership of said vehicle.

7. Retaining the vehicle in the police station would cause deterioration and loss of value of the said vehicle. Thus allowing the application by imposing certain conditions would suffice the end.

Accordingly, the following order is passed :

ORDER

1. The application is hereby allowed.
2. The property namely Hero Honda Splendor Plus Motorcycle bearing registration no. MH-21-BM-2769 be handed over to the applicant namely Rajabhau Narayan Mujmule till the conclusion of the trial on executing an indemnity bond of Rs. 75,000/- (Rs. Seventy Five Thousands only) subject to Insured said motorcycle on the following conditions that :
  - a. He shall not sell, transfer, gift or alienate the said vehicle till the disposal of the main proceeding and without permission of this Court.
  - b. He shall not carry out any change or modify the body of the said vehicle without permission of this Court.
  - c. He shall produce the same as and when required by this Court or by the investigating officer.
3. The concerned officer-in-charge of the Dindrud police station is directed to prepare a detailed panchanama and Insurance paper from applicant of

the said vehicle before releasing the same in favour of the applicant.

4. The investigating officer is directed to take the coloured photographs of the seized vehicle from different angles at the cost of the applicant and shall produce the photographs, panchanama and Insurance paper from applicant along with the charge sheet.
5. The supurtnama be attached / tagged with the charge sheet.
6. Issue letter to the concerned officer-in-charge of the Dindrud police station regarding indemnity bond taken before me.
7. The application is accordingly disposed of.

Dharur  
Date : 30.08.2021

Sd/-  
(J. T. Koregaonkar)  
Judicial Magistrate, F.C.,  
Dharur

**-: C E R T I F I C A T E :-**

“I affirm that the contents of this P. D. F. file are word to word, as per original Judgment/Order”.

Name of Stenographer (Grade-3) : A.S. Gangane -  
Name of the court : C.J.J.D. and  
JMFC, Court,  
Dharur  
Date : 30.08.2021  
Order signed by presiding officer on : 30.08.2021  
Order uploaded on : 30.08.2021

Sd/-

( A.S. Gangane)  
Stenographer Grade-3  
Civil and Criminal Court,  
Dharur