

Criminal Misc. Application No. 100/2026.
Narote Yogesh Martand V/s. State of Maharashtra.
CNR No : MHBI130004832026.

ORDER BELOW EXH - 01.

The present application has been filed for seeking the release of vehicle i.e.5210 GEARPRO JOHN DEERE INDIA PVT LT (TRACTOR DIVISION) company bearing Registration No. MH-26-CE-7378, Chassis No. 1VY5210EKRD021875 and Engine No. PY3029T328427 seized by the Railway Police Station Parli V. in Crime No. 79/2026 filed U/s. 174 of Railway Act 1989.

02. The I.O. filed his say at Exh. 5 and submitted to pass appropriate order after verification of the documents of the ownership and on condition. The Ld. A.P.P. filed his say to the overleaf of the Exh. 1 and accepted the say of the IO.

03. Ld. Advocate for the applicant has submitted that, the applicant is the owner of the said vehicle and he is ready to abide all the terms and conditions imposed by the Court. He has further prayed for the release of the said vehicle.

04. I have perused the documents filed by the applicant, i.e. Copy of particulars of the vehicle, copy of Aadhar card, Copy of Occurrence information report Crime No. 79/2026 of the said crime. From the above documents prima-facie it is proved that the applicant is owner of the said vehicle. I am of the view that there is no sufficient reason to detain the said vehicle.

05. The vehicle is kept in open place at police station. The possibility of damage to the vehicle can not be ruled out. Except applicant no other person has claimed the seized vehicle. In the case of, **Sundarbhai Ambalal Desai and C.M. Mudaliar Vs. State of Gujrat AIR 2003 SC 638**, it is held that, it would be justifiable to hand over the seized property to the applicant during the pendency of the trial. Considering the all above aspects, Therefore, I pass the following order.

:: O R D E R ::

01. The application is allowed.
02. The Investigation Officer is directed to take the FOUR colour photographs of the said **vehicle i.e.5210 GEARPRO JOHN DEERE INDIA PVT LT (TRACTOR DIVISION) company bearing Registration No. MH-26-CE-7378, Chassis No. 1VY5210EKRD021875 and Engine No. PY3029T328427 seized by the Railway Police Station Parli V. in Crime No. 79/2026 filed U/s. 174 of Railway Act 1989** at the cost of the applicant and attach with the charge-sheet.
03. The Investigation officer is further directed to prepare Panchanama of said vehicle and submit to this Court along with the charge-sheet and handover the seized vehicle temporary to the applicant.

04. The applicant is also directed to execute an indemnity bond of ₹ 10,00,000/- (₹ Ten Lakh only), with a solvent surety in the sum of ₹50,000/- (Rupees Fifty Thousand Only) on the following conditions :-
- A) That the above vehicle should not be sold or disposed of in any way and shall be produced as and when the Court directs till the decision of the **Crime No. 79/2026**.
- B) The applicant shall take insurance of the vehicle.
05. The copy of said order be kept with **Crime No. 79/2026**.

Date : 12/03/2026.

(**Dipak R. Borde**)
Judicial Magistrate F.C. (Court No. 1),
Parli Vaijnath.