

Criminal Misc. Application No. 106/2026.
Digambar Tulshiram Doifode V/s. RPF,Parli
CNR No : MHBI130005112026.

ORDER BELOW EXH - 01.

The present application has been filed for seeking the release of **Trailor of Four wheel bearing No. MH26-T2510, Chassis No. AL12084545 & Trailor of Four wheel bearing No. MH26-T2508, Chassis No. AL12084550** manufactured by the **Awachat Industries LTD**, seized by the **RPF Parli Vaijnath** in the **Crime No. 79/2026** filed U/s. 174 of **Railway Act 1989**.

02. The I.O. filed his say at Exh. 5 and have no objection to release the vehicle. The Ld. A.P.P. filed his say to the overleaf of the Exh. 1 and submitted that there is no registration of trollies. Therefore, application be rejected.

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 conditions.

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

06. 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 prepare Panchanama of said vehicle and submit to this Court along with the charge-sheet and handover the interim custody of the seized vehicle to the applicant.
03. The Investigation Officer is further directed to take the FOUR colour photographs of the said **Trailer of Four wheel bearing No. MH26-T2510, Chassis No. AL12084545 & Trailer of Four wheel bearing No. MH26-T2508, Chassis No. AL12084550** manufactured by the Awachat Industries LTD, seized by the RPF Parli Vaijnath in the Crime No. 79/2026 filed U/s. 174 of Railway Act 1989 at the cost of the applicant and attach with the charge-sheet.
04. The applicant is also directed to execute an indemnity bond of ₹ 2,00,000/- (**₹ Two Lac 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**.

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.