

MHBI180003312026 	Criminal Misc. Appln. No.19/2026 Afjal Shabir Shaikh Vs. State of Maharashtra Crime No.70/2026 Dindrud Police Station
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ORDER BELOW EXH.1

Application for return of vehicle under Section 503 of B.N.S.S., 2023.

Brief facts of this application are

2. Applicant is the owner of Royal Enfield company vehicle Model Classic 350 bearing registration No.MH-44-AH-8020 having Chassis No. ME3J3C5FHS2017312 and Engine No. J3A5FHS2039715 and that was seized by the Dindrud Police Station in Crime No.70/2026. It has been seized from the possession of the applicant. The applicant has produced all the documents about R.C. Book, Insurance of the said vehicle. It is further stated that, applicant is ready to abide the terms and conditions, which would be imposed on him. The applicant is requires the said vehicle for his own use and if it is lies in idle condition then, the said property will be rusted and damaged. He is also giving undertaking that, he will not change, transfer in any manner to any one or alienate or create any charge in any manner on the said vehicle, he will not change nature of the said vehicle. With this request to return of the said vehicle to the applicant.

3. Say of the prosecution at **Exh. 5**. Prosecution has objected this application on the ground that, this vehicle is used while committing the said offence. If the said property hand-over to the applicant, there is

possibility of transfer, change in the property, which would be required in the offence. With this request to reject this application.

4. Heard argument of the applicant and prosecution. They have argued as per their contents and say.

5. As per the record, it reveals that this vehicle is seized in the said offence Crime No. 70/2026 at Dindrud Police Station for the offence punishable under Section 137(2) BNS and this vehicle is lying in the Police Station. Considering the verified documents on record i.e. R.C. Book, this vehicle is in the name of Afjal Shabir Shaikh, who is a owner of the said vehicle and it was seized from his possession.

6. Undoubtedly, the time is requires to adjudicate the said case and if the said vehicle is lying idle in the Police Station, it would be rusted and diminished its value, could not be used. It requires to decide the case on merit and till that time, this property is not required for the evidence. However, if this property return to the owner and possessor of that vehicle, he can maintain or use the property properly. Moreover, in respect of the apprehension or possibility of transfer, change and other objection, for that the condition could be imposed upon the said applicant, while returning the said property. So, the said objection would not remain. Already applicant has given affidavit before this Court. For this, this Court of opinion that it is just to return back the said property to the applicant on the following conditions.

ORDER

1] Application is allowed.

2] The Officer in charge of Dindrud Police Station is hereby directed to return the said vehicle Model Classic 350 bearing registration No.MH-44-AH-8020 having Chassis No. ME3J3C5FHS2017312 and Engine No. J3A5FHS2039715 to the applicant on due verification, identification and on execution of indemnity bond of Rs.1,00,000/- (Rupees One Lakh only).

3] The applicant is hereby directed that, he shall not transfer the said vehicle in any manner to anybody else or shall not change it in any manner or create any interest in any manner on the said vehicle.

4] The applicant has to produce the said vehicle as and when directed by this Court.

5] In the breach of above conditions, he will be liable for legal action.

6] The Officer in charge of Dindrud Police Station is directed to take photographs of the said vehicle before handed over the said property to the applicant.

(Dictated and pronounced in open Court).

Date : 12/06/2026

(Rahimat K. Shaikh)
Additional Sessions Judge
Kaij.

CERTIFICATE

I affirm that the contents of this PDF file are word to word as per original judgment/order.

Dictated on : 12/06/2026
Transcribed on : 12/06/2026
Checked & signed on : 12/06/2026

Sd/--
(K. D. Chavan)
Stenographer Grade-I