

MHBU040009212026



Order below Exh.4

1. Present application has been filed by the applicant Devkanya Shivaji Pawar, under Section 503 of BNSS 2023, for release of motorcycle Splender Plus Hero bearing registration No.MH-56-D-0967 Chassis No. MBLHAW475SHLH5487, Engine No.HA11F6SHL77403, on Supratnama, seized by police station Khamgaon City in Crime No.110/2026, under Sections 137(2), 64(2)(m)(i) 87 of BNS 2023 and u/s 4 of the POCSO Act.

2. Learned advocate Mr. Altaf Shaikh, appearing on behalf of the applicant submitted that the applicant is the owner of the said seized vehicle and the vehicle is daily needed for her livelihood. It is further submitted that the applicant will abide the terms and conditions that may be imposed by the Court if vehicle is released into her custody on Supuratnama.

3. The investigation officer and learned APP Ms.R.D. Bawaskar, appearing on behalf of the State, have filed say vide Exh.7. It is contended that accused have used the said vehicle in commission of offence. The offence is serious. She further submitted that if the vehicle is released on Supuratnama as per terms and conditions of

Court, the prosecution has no objection to give the said vehicle to the applicant.

4. I have considered the submission of both side. Perused the application, say and documents placed on record. The record shows that applicant has filed application for releasing the vehicle seized by police station Khamgaon City in in Crime No.110/2026, under Sections 137(2), 64(2)(m)(i) 87 of BNS 2023 and u/s 4 of the POCSO Act. The applicant has produced on record the verified copy of the RC Book which prima facie goes to show that the vehicle in question belongs to the applicant. The vehicle is lying idle in the police station. It may be damaged if remain with police station. It has been held by the Hon'ble Supreme Court in Sunderbhai Ambalal Desai V/s. State of Gujarat, SPL (Cri) 2745 of 2002, that if it is of no use to keep the seized vehicle at the police station for a long period by taking Supuratnama Bond to the satisfaction of Court, the seized vehicle be released. Therefore, I found that the applicant is entitled for release of vehicle upon certain terms and conditions. In sequel, I hold that the application in hand requires to be allowed. Hence, I pass the following order :-

ORDER

- 1] The application is allowed.
- 2] The officer in-charge of Police Station/investigating Officer, of police station is directed to deliver the custody of motorcycle Splender Plus Hero bearing registration No.MH-56-D-0967 Chassis Number MBLHAW475SHLH5487, Engine Number

HA11F6SHL77403, on Supratnama, seized by police station Khamgaon City in Crime No.110/2026, under Sections 137(2), 64(2)(m)(i) 87 of BNS 2023 and u/s 4 of the POCSO Act, to the applicant Devkanya Shivaji Pawar, R/o. Kothari Fail Khamgaon, Tq. Khamgaon, Dist.Buldhana, on her executing Supuratnama bond in the sum of Rs.1,00,000/- (Rupees One lakh only) and on her undertaking that she shall not make any change in the said vehicle, shall not alienate it and will produce it as and when required by the Court during the trial, in connection with the said crime.

- 3] PSO/ I.O. shall take necessary photographs of the vehicle in question at the expenses of the applicant and prepare detailed panchanama of vehicle, so that its identity can be established during the trial and forward such photographs and panchanama to the concerned Court along with the charge-sheet or otherwise.

Dt.10/8/2026

(C.M.Bagal)
Spl.Judge & Addl.Sessions Judge,
Khamgaon, Dist. Buldhana.

Certificate

I affirm that the contents of this P.D.F. file order are same word for word as per original order.

Name of Steno : Mrs.Nishat Anjum Mohd.Rafique.
Name of Court : Special Judge, Khamgaon, Dist. Buldana.