

Sessions Case No. 80/2023

(CNR NO. MHBU20-000649-2023)

State of Maharashtra Vs. Gajanan Devrao Rohi

ORDER BELOW EXH. 66

(Passed on this the 04th Day of April, 2026)

01] Applicant - **Gajanan Devrao Rohi** has filed this application under Section 497 of the Bharatiya Nagarik Suraksha Sanhita for releasing seized motorcycle i.e. Splendor + Black-silver colour bearing registration No. MH-28-BP-1647 on Supurdnama.

02] It is contented that Police Station, Sakharkherda has registered an offence against the accused person in crime No. 256/2023 under Sections 302, 120(B) of the Indian Penal Code. Police has seized Splendor + Black-silver colour motorcycle bearing registration No. MH-28-BP-1647 in crime No. 256/2023.

03] Applicant Gajanan Devrao Rohi is the registered owner of said vehicle. He required seized vehicle for his personal use. Now, investigation is completed and charge-sheet has been filed. Hence, applicant prayed to release said vehicle on Supurdnama.

04] On this application, say of Investigating officer and learned A.P.P. was called. The prosecution has objected to release seized vehicle on Supurdnama. Learned A.P.P. Mr. S. P. Hiwale objected this application saying that seized vehicle is used for commission of said offence. He further submitted that if the

vehicle released on Supurdnama, then applicant will use it for committing similar kind of offence. He further submitted that seized vehicle would be required during trial and therefore, he prayed to reject the application.

05] Having considered rival submission of both side and say given by investigating officer it appears that investigation is completed and charge sheet has been filed in this Court. Material and important witnesses are examined by the prosecution. Applicant Gajanan Devrao Rohi is registered owner of seized vehicle bearing registration No. MH-28-BP-1647 in crime No. 256/2023, under Sections 302, 120(B) of the Indian Penal Code. Applicant Gajanan has filed copy of Registration Certificate, copy of tax invoice, copy of insurance and copy of his Aadhaar Card etc.

06] On the basis of above said documents of seized vehicle, the applicant has proved his ownership. Seized vehicle is laying idle in Police Station, Sakharkherda. If seized vehicle is not released on Supurdnama, it would cause damage and will not come in use for any purpose. On the other hand there is no harm to the prosecution, if interim custody of seized vehicle given to the applicant on imposing stringent conditions.

07] For the above said reasons, applicant is entitled to get interim custody of seized vehicle on following conditions.

:: ORDER ::

[01] The application (Exh. 66) is allowed.

[02] The vehicle i.e. Splendor + Black-silver colour bearing registration No. MH-28-BP-1647, Chassis No.

MBLHAW129M5G28430 and Engine No. HA11EYM5G65354 seized in crime No. 256/2023 at Police Station, Sakharkherda be given on Supurdnama to applicant - **Gajanan Devrao Rohi** in his interim custody till the decision of the case on executing Supurdnama bond of Rs. 50,000/- (Rs. Fifty thousand Only).

- [03] The applicant shall not sale, transfer, mortgage or dispose of the aforesaid vehicle in any manner whatsoever and/or shall not make any change in its body, colour and chassis and engine number and chassis number be furnished before the Court with an undertaking that no damage shall be caused or no part of the vehicle be substituted.
- [04] The applicant shall also file an undertaking before the Court that the vehicle in question shall not be used for commission of any offence.
- [05] Before giving interim custody of the vehicle in question to applicant, coloured photographs of cabinet size from different angles clearly indicating registration number and other particulars of the vehicle shall be kept on file and expenses for the photographs shall be borne by applicant herein.
- [06] It is made clear that in case of any allegation regarding involvement of said vehicle in any criminal activity or in transportation of any objectionable articles, the order as to interim release of the said vehicle shall stand vacated automatically and the trial Court shall have due authority to take necessary steps for seizure of the said vehicle.
- [07] Inform to Police Station, Sakharkherda.

(Dictated and pronounced in open Court)

Date: 04.04.2026
Place: Mehkar

(Sagar K. Mungilwar)
Additional Sessions Judge
Mehkar, Dist. Buldhana

C E R T I F I C A T E

I affirm that the contents of this PDF file Order / Judgment are correct word to word as per the original.

Name of Court : Shri. Sagar K. Mungilwar
Additional Sessions Judge, Mehkar,
Dist. Buldhana.

Name of Steno : Shaikh Imran Abdul Rauf,
Stenographer, Grade-1, Mehkar.

Date : 04.04.2026