



**IN THE COURT OF JUDICIAL MAGISTRATE FIRST CLASS**  
**BHADRAWATI, TAH.BHADRAWATI, DIST.CHANDRAPUR**  
**ORDER BELOW EXH-01**  
(Dated 25<sup>th</sup> March, 2026)  
**CNR No.MHCH070003682026**

This is an application for release of tractor bearing Registration No.MH-34-L-9332, Chassis No.RJJY00150, Engine No.RJJY00150, seized in Crime Register No.0768/2025 of Police Station, Bhadrawati registered for offence punishable under Sections 303 (2), 49 of Bharatiya Nyaya Sanhita, Sec.48 (7), 48(8) of Maharashtra Land Revenue Code, Sec.130, 177, 192 of Motor Vehicles Act.

2] Learned A.P.P. and I.O. resisted application by contending that, said vehicle is used in illegal transportation of sand without permit and the applicant also had not paid the penalty recognized by revenue rules. Therefore, prayed to reject the same.

3] Perused record. The applicant vide Exh.3 in support of his application has filed verified copy of his Aadhar Card, verified copy of R.C.Book of vehicle, copy of insurance of vehicle. He further filed copy of F.I.R. vide Exh.7. The copy of F.I.R reveals that, the vehicle came to be seized in Crime No.0768/2025. While R.C.Book of vehicle *prima-facie* shows that, applicant is the registered owner of tractor.

4] Admittedly, the provisions of Maharashtra Land Revenue Code have been levelled against the accused. However, the vehicle has been seized by the police authority. The Executive Magistrate has not seized the vehicle. Therefore, this Court has jurisdiction to entertain the application. The Executive Magistrate may impose penalty after conclusion of the proceeding, if any, initiated on his behalf. In these circumstances, the vehicle need not be kept in unattended condition at police station.

5] The trial would not be concluded in near future. The details of proceedings, if any, initiated by Executive Magistrate is also not submitted on record. In the present crime, nobody except the applicant came before court to claim the seized vehicle. Hence, the applicant is entitled for interim custody of the vehicle, being registered owner of tractor thereof. Hence, following order:

**ORDER**

- 1) The application is allowed.
- 2) The I.O. is hereby directed to handover the possession of above said tractor to the applicant on accepting indemnity bond of Rs.10,00,000/-.
- 3) The applicant is hereby directed not to alienate, sell the tractor and not to change the nature thereof without permission of this court. The applicant not to use or permit the use of vehicle in commission of any other offence.
- 4) The I.O. is hereby directed to prepare panchanama while giving possession of the said tractor to the applicant and also obtain the photographs of the tractor at the time of delivery of possession to the applicant.
- 5) Indemnity Bond be handed over to The Inspector, Police station, Bhadrawati, in Crime No.0768/2025. The concerned Officer shall file the indemnity bond along with charge-sheet in the Court.
- 6) Issued letter to Police Station, Bhadrawati, Tah.Bhadrawati, Dist.Chandrapur accordingly.
- 7) True copy of application at Exhibit-01 along with final order thereon be kept with crime papers of Crime No. 0768/2025 registered at Police Station, Bhadrawati.

Date :25-03-2026.

**(A.S. Jarude)**  
Judicial Magistrate First Class,  
Bhadrawati