

MHCH090002952026



ORDER BELOW EXH.1
(Passed on 24/03/2026)

This is an application filed by the applicant Kalidas Maroti Tarode under section 503 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for releasing two-wheeler i.e. **TVS MOTOR COMPANY LTD** model **TVS JUPITER 125** bearing registration No.**MH-34-CT-5956** seized in Crime No. 129/2026 punishable under section 65(e) of Maharashtra Prohibition Act. The said crime was registered at Gondpipari Police Station, Tah. Gondpipari and Dist. Chandrapur. Say of I.O. and Ld. APP filed on the record. Heard both sides. Perused the record.

2] Learned Advocate for the applicant submitted that, the applicant is the owner of the seized vehicle. Therefore, without the vehicle, applicant is facing various difficulties. The applicant is ready to abide conditions imposed by the court. He is also ready to produce the vehicle as and when required. The Ld. APP and I.O objected to hand over the custody of the vehicle to the applicant on the ground that the applicant may use the vehicle to commit similar kind of offence.

3] The applicant has produced verified copies of documents on record i.e. Adhar Card of applicant, invoice of the vehicle, Registration certificate and the insurance of the vehicle. From the documents filed by the applicant, it appears that, the

applicant is the owner of seized vehicle i.e. **TVS MOTOR COMPANY LTD** model **TVS JUPITER 125** bearing registration No.**MH-34-CT-5956**. As per the guidelines issued by Hon'ble Supreme Court in the case of *Sundarbhai Ambala Desai Vs. State of Gujrat AIR 2003 SC 638*, it would be proper to return the said vehicle to the applicant. If the vehicle is kept at Police Station uselessly, same will cause the damage to the vehicle and the right of the applicant as the owner of the vehicle would get defeated. I am satisfied that the applicant is the owner of the seized vehicle. On appropriate conditions said vehicle can be returned to the applicant. Hence, I pass the following order.

ORDER

1. Application is allowed.
2. The seized vehicle two-wheeler i.e. **TVS MOTOR COMPANY LTD** model **TVS JUPITER 125** bearing registration No.**MH-34-CT-5956** shall be handed over to the applicant namely, **Kalidas Maroti Tarode** R/o. Salezari, post Dhamangaon, Tah. Gondpipari and Dist. Chandrapur on his executing the indemnity bond of **Rs.50,000/-** (Rupees Fifty Thousand Only).
3. The applicant shall undertake to abide with following conditions till disposal of the matter in impugned crime:
 - I He shall not sell or transfer the said vehicle.
 - II He shall not make any alteration or modification in the vehicle.
 - III He shall produce the said vehicle as and when required during the investigation and trial.
4. The Investigating Officer shall hand over the vehicle

after receipt of the necessary documents thereof.

5. The Investigating Officer shall prepare a detailed panchnama thereof, also take the photographs from all sides of the vehicle before returning the same at the expenses of the applicant and the said photographs and panchnama be present along with the charge-sheet.
6. Copy of this order be sent to the Investigating Officer.
7. Investigating Officer is directed to comply the order, as above before granting custody of vehicle to the applicant.

Date : 24-03-2026

(Sd-)
(U. P. Shinde)
Judicial Magistrate, First Class,
Gondpipari.