

MHCH100000862026

**ORDER BELOW EXH.1**

(Passed on 05 June, 2026)

Perused the application and the documents filed along with it. It is contended that in crime No.430/2026, u/sec. 65 (A) of Bombay Prohibition Act, a HONDA ACTIVA 4 G Company's vehicle its bearing Registration no. MH-34-BE-5461 came to be seized by Police Station, Mul. Applicant namely Haridas Gopala Mankar is claiming to be the owner of the seized vehicle.

2) The I.O. has filed his say at Exh.05 opposed to release the vehicle on supratnama. Ld. APP filed his say and contended that the applicant might be used again same kind of offence and might be sold out the said vehicle to some one else.

3) The Ld. Advocate for applicant filed on record the verified copy of Registration Certificate of the seized vehicle, verified copy of Aadhar card of applicant, verified, copy of 3rd party insurance valid till 19/05/2027 and the copy of F.I.R. The copy of vehicle registration certificate shows that the applicant is the registered owner of the seized vehicle. The Ld. APP & I.O. have objected to release the vehicle. However, if seized vehicle is kept in the police station for long time, then it will remain unattended there and will be exposed to adverse seasonal conditions, which will result into the loss of its value and efficiency. The only safeguard which can be taken is to ensure the production of vehicle. The documents filed on record shows that seized vehicle is registered in the name of applicant. No other claimant came forward to claim the

seized vehicle. Hence, it appears that no purpose will serve in keeping the seized vehicle laying in the police station. The possibility of the damage to it can not be ruled out if kept laying unattended in the police station. Considering all these facts and the directions of the Hon'ble Supreme Court in **Sundarbhai's case reported in AIR 2003, Supreme Court 638**, it will be just to handover the interim custody of the seized vehicle to the applicant. Hence, it will be appropriate to release the seized vehicle on following terms and conditions.

ORDER

- 1] The application is allowed.
- 2] The Police Station, Mul is hereby directed to release a HONDA ACTIVA 4 G Company's vehicle its bearing Registration no. MH-34-BE-5461 in favour of Haridas Gopala Mankar seized in Crime No.430/2026, on execution of supratnama bond of Rs.80,000/- on bond paper of Rs. 500/-, if not required in any other crime on the following conditions.
 - (i) The applicant shall produce the above said vehicle as and when required by this Court.
 - (ii) The applicant shall not alienate the said vehicle in any manner without prior permission of the Court.
 - (iii) The applicant shall not change the nature of the above said vehicle so as to loss its identity.
- 3] The applicant shall execute an indemnity bond thereby undertaking to indemnify an amount of Rs.80,000/- (Eighty Thousand Only) in case of his failure to produce the said vehicle whenever required.

4] The concerned I.O. is hereby directed to prepare detailed panchanama of above said vehicle before releasing it in favor of the applicant on supratnama and take its photographs, at the expense of applicant, countersigned by the applicant.

5] Bond before police station, Mul.

6] Intimate to concern police station accordingly.

Mul.

Date :-05/06/2026

(Q.A.N. SARWARI)

Judicial Magistrate First Class,
Mul.

Certificate

Certified that PDF copy of order supra is word to word identical to the original order.

Name of Stenographer	:	Ankit V. Gupta
Dictated on	:	05/06/2026
Checked on	:	05/06/2026
Signed on	:	05/06/2026
Uploaded on	:	05/06/2026