



MHCH130009332026

ORDER PASSED BELOW EXHIBIT -1(Passed on 02nd day of June, 2026)

This is an application filed under section 497 along with 503 of the Bhartiya Nagarik Surakasha Sanhita, 2023 for interim custody of property to applicant during pendency of investigation, inquiry or trial. The property to be released is described as under along with the Police Station and crime number connected with the same.

Property	:-	TATA Tipper Truck (hyva) LPK 2518CRE BS-IV
Registration No.	:-	MH-34-BG-3498
Chassis No.	:-	MAT448236JAH18215
Engine No.	:-	81H84808057
Police Station	:-	Virur, Tah. Rajura, Dist.Chandrapur.
Crime No.	:-	87/2026
Offences	:-	U/s 303(2), 3(5) Bharatiya Nagarik Suraksha Sanhita, 2023.

2. The applicant and his learned advocate through this application submitted that the seized vehicle is owned by Shri Jugal Rajendra Dohe. Applicant being owner of the seized vehicle is facing various difficulties without his vehicle. The applicant is ready to abide by the conditions imposed by this Court for interim custody of the vehicle. He also submitted that he is ready to produce said vehicle as and when required. Thus, the applicant claims that he is entitle for

interim custody of the vehicle. Hence, he prayed for allowing the present application.

3. The Investigating Officer filed say vide exhibit 5 and submitted that present vehicle is seized in crime no. 87/2026 registered with Virur Police Station. He further submitted that the said vehicle during investigation appeared to be of the applicant. He contended that, applicant in this case is involved in commission of various offence registered against him with Virur, Police Station. If the said vehicle is released on bond then there are much possibilities of use of this vehicle in commission of similar further offence by the applicant. Hence, he strongly opposed and prayed for rejection of this application.

4. The learned APP strongly opposed the application. She submitted that if the vehicle is release on suprutnama bond then there are possibilities that the colour of the vehicle might be change or applicant might destroy essential evidence related to the case connected with the vehicle. Hence, she prayed for rejection of this application.

5. Perused the application, say filed by learned APP and IO along with the record submitted before me. Heard the learned advocate for the applicant and learned APP.

6. On perusal of record it appears that the applicant has produced verified copies of the Aadhar Card along with copy of Registration Certificate of the seized vehicle. On the basis of documents submitted on record it is apparent that the applicant is the owner of the said vehicle.

7. On the basis of documents submitted on record it is apparent that the applicant is the owner of seized vehicle for interim release of said vehicle. Considering, objection raised by IO it appears that present applicant might be involved in commission of past offences. However, past criminal record cannot be a reason to reject interim custody of the said vehicle until and unless there are some special directions connected to the said vehicle regarding same.

8. While deciding this application it is material to note that, the said vehicle was seized in contravention of provision under Maharashtra Land Revenue Code, 1966. The Tahasildar has powers under the said Code to initiate confiscation proceeding to recover royalty and fine. However, whether confiscation proceeding are initiated or not is exclusive domain of the revenue authority, which cannot be a bar to release the vehicle in crime registered with the jurisdiction of this Court.

9. As no other claimant or objector has appeared before this Court, no purpose will be served by keeping the vehicle pending with Police Station in said crime number. Rejection of this application would mean unnecessary detention of the vehicle resulting into deteriorating its conditions. In view of aforesaid reasons it is appropriate to release the vehicle, subject to any confiscation proceeding pending before the revenue authority to be verified by the IO. Thus, releasing of the seized vehicle by imposing appropriate conditions is just and proper. Hence, I pass the following order;

ORDER

- I The application is allowed.
- II The seized vehicle i.e., TATA Tipper Truck (hyva) LPK 2518 CRE BS-IV bearing Registration No. MH-34-BG-3498, Chassis No. MAT448236JAH18215 and Engine No. 81H84808057 be released by Police Station Officer, Police Station, Virur Tah, Rajura and handed over to the applicant on his executing indemnity bond of Rs.5,00,000/-(Rs. Five Lakh only) in favour of Virur Police Station. The said release is subject to pendency of any confiscation proceeding before Revenue Authority to be verified by IO.
- III The seized vehicle shall be release after due verification and identification of the applicant by officer of the Virur Police Station.
- IV The applicant shall undertake to abide with following conditions till the disposal of this matter in impugned crime no. 87/2026;
 - a. He shall not sell or transfer the said vehicle.
 - b. He shall not make any alterations or modifications in the said vehicle.
 - c. He shall produced the said vehicle as and when called for/required during the investigation and trial.
 - d. He shall not use the said vehicle for any illegal activity.
- V The Investigating Officer shall handover the above said vehicle after receipt of necessary documents thereof.
- VI The Police Station Officer, Virur Police Station or the concerned Investigating Officer are hereby directed to prepare detailed panchanama along with photographs of the said vehicle from four sides and of Chassis number and Engine number of the vehicle before returning the same at the expenses of the applicant and the said photographs and panchanama be presented before the Court along with report.

- VII** Copy of this Order be forwarded to Investigating Officer for necessary compliance.
- VIII** In case of breach of any conditions imposed here above, indemnity bond will be forfeited.
- IX** The Investigating Officer is directed to comply with the Order as above before granting custody of the said vehicle to the applicant.

Date : 02/06/2026.

Sd/-
(**Ashu D. Patel**)
I/c Judicial Magistrate First Class,
(Court No.2), Rajura.