



ORDER BELOW EXH.01

(Dated:03/06/2026)

The present application has been filed under Section 497 read with Section 503 of the Bhartiya Nagarik Suraksha Sanhita,2023 (BNSS), in connection with Crime No.322/2026 registered at Police Station Gadchandur, seeking the release of the motor vehicle (Hero Passion Pro) bearing Registration No. MH-34-BE-4510, Chassis No.MBLHAR180HHE25100 and Engine No.HA10ACHHE94950,which has been seized from the custody of the accused in connection with an offence punishable under Section 65 (a) of the Maharashtra Prohibition Act, 1949.

2. The applicant stated that he is the lawful owner of the said vehicle,which is currently lying unused in the open premises of Police Station Gadchandur. He further submitted that the continued seizure of the vehicle, without protective measures, is likely to cause damage and depreciation. The applicant has assured the Court that he shall abide by all terms and conditions imposed by the Court for the release of the vehicle. In support of the application, the applicant has produced verified copies of his Aadhaar Card, Particulars of the vehicle, Copy of Invoice, and copy of the F.I.R.

3. The learned Special A.P.P. and the Investigating Officer (I.O.) were called upon to file their say. While the learned Spl. A.P.P. opposed the application contending that if said vehicle is

released it might be used again in similar offence. The Investigating Officer has filed his say at Exh.05. He contended that, if the vehicle is released the accused may commit similar offence.

4. On careful perusal of the documents placed on record, this Court is satisfied that the applicant is the registered and lawful owner of the vehicle. It is a settled position in law that seized vehicles should not be allowed to remain idle and unattended at police station, as such neglect leads to depreciation and damage. In view of the assurance given by the applicant, this Court finds it just and proper to release the vehicle to the applicant on terms and conditions. Hence, the following order is passed:

ORDER

- i. The application is hereby allowed.
- ii. The seized vehicle, (Hero Passion Pro) bearing Registration No.MH-34-BE-4510, Chassis No.MBLHAR180HHE25100, Engine No.HA10ACHHE94950, shall be handed over to the applicant, namely Sainath Waraluji Madavi, upon his executing an indemnity bond of Rs.50,000/- (Rs. Fifty Thousand only).
- iii. The applicant shall undertake to abide by the following conditions until the disposal of the matter in the impugned crime:
 - a. He shall not sell or transfer the said vehicle until the decision of the case.
 - b. He shall not make any alteration or modification to the vehicle until the decision of the case.

- c. He shall produce the said vehicle as and when required during the investigation and trial.
 - d. He shall not misuse the vehicle.
- iv. The I.O. shall hand over the vehicle after receiving the necessary documents thereof.
- v. The I.O. shall prepare a detailed panchnama, also take photographs of the vehicle from all four sides before returning it, at the applicant's expenses. These photographs and the panchnama shall be presented along with the charge-sheet.
- vi. A copy of this order shall be sent to the I.O.
- vii. The I.O. is directed to comply with this order before granting custody of the vehicle to the applicant.

Sd/-
(Diksha Dilip Sahare)
Judicial Magistrate, First Class,
(Court No.2),Korpana.

Certificate

I affirmed that, the contents of this PDF Order/judgment are same word to word as per original judgment.

Name of Stenographer : Shri. Avinash Ishwar Sahare
Court Name : Smt. Diksha Dilip Sahare
Judicial Magistrate, First Class,
(Court No.2),Korpana,Dist-Chandrapur.
Judgment signed by P.O. : 03/06/2026
Judgment uploaded on : 03/06/2026