

(CNR: MHDH06-000217-2026)



Anil Damu Pawar  
Vs.  
State of Maharashtra.  
(Nardana Police Station)

**Order Below Exh. 1 in Cri. M.A. No.19/2026.**

This is an application praying for interim custody of property.

2] Heard learned advocate for the applicants and learned A.P.P. for the opponent state. Perused the application and the say filed by the learned A.P.P. for state, the Investigating Officer. Perused the record of the case.

3] It is submitted by the applicant that he is the registered owner of a Mahindra vehicle of model Bolero - Maxitruck Plus 1.2T PS bearing registration no.MH-39-AD-0826, Chassis no.MA1ZP2TBKK6F34535 and Engine No.TBK4E64102. The said vehicle is seized by the police in C.R.No.23/2026 registered with the Nardana Police Station u/s.11 (1)(c), 11 (1) (d), 11(1)(g), 11(1)(k) of Prevention of Cruelty to Animals Act, 1960 and Sections 5, 5A(1), 5A(2), 9 of Maharashtra Animal Preservation Act, 1976. It is further submitted that he is in need of the aforesaid vehicle for his daily chores. The said vehicle is standing at the Police Station. If the said vehicle is kept in the custody of police, it will get damaged and would lose its value. It is further submitted that he is ready to abide with the terms and conditions imposed on him by the court. He would not alienate the said vehicle. The applicant would not make any alteration to it nor he would

change its nature. Hence, the applicant prays that interim custody of the aforesaid vehicle be given to him.

4] The learned A.P.P. has submitted his say to the present application and has prayed that the application may kindly be rejected. The I.O. has filed his say at **Exh.4** and submitted that if interim custody of the vehicle is given to the applicant he may commit similar offences again. Hence, prayed to reject the application.

5] The applicant has produced following documents in support of his application :-

i)	A copy of F.I.R. in C.R.No.23/2026 registered at Nardana Police Station
ii)	A verified copy of R.C. book of the vehicle.
iii)	A verified copy of Aadhar Card of the applicant.
iv)	A copy of Insurance of the vehicle.

6] Considering the application is supported by an affidavit and upon perusal of copy of R.C.book of the vehicle produced on record, it seems that the applicant is the registered owner of the seized vehicle. There is no other claimant to claim custody of the said vehicle. Therefore, the applicant appears to be entitled to the possession of the aforesaid vehicle. The vehicle is standing idle in the custody of police. The possibility of the vehicle getting damaged and losing its value cannot be overruled. The applicant has expressed his willingness to abide by the terms and conditions, if any, imposed by the court upon him. Therefore, in my opinion, no purpose would be served by keeping the vehicle in the custody of police. As far as, the apprehensions raised by the learned A.P.P.

and IO are concerned, they could be taken care of by imposing appropriate conditions on the applicant. Under such circumstances, it would be appropriate to allow the application and handover the interim custody of the aforesaid seized vehicle to the applicant by imposing certain conditions upon him. Hence, the following order is passed :-

**ORDER**

- 1) The application is allowed.
- 2) The interim custody of the seized vehicle i.e. Mahindra vehicle of model Bolero - Maxitruck Plus 1.2T PS bearing registration no.MH-39-AD-0826 , Chassis no.MA1ZP2TBKK6F34535 and Engine No.TBK4E64102 be given to the applicant, till further orders, on following conditions :-
  - (a) The applicant shall undertake to produce the aforesaid seized vehicle before the court or the police as and when directed.
  - (b) The applicant shall undertake not to change the nature, features or properties of the aforesaid seized vehicle.
  - (c) The applicant shall undertake not to alienate the aforesaid seized vehicle without prior permission of this Court.
  - (d) The applicant shall not use or allow the said vehicle to be used in commission of any offence.

- 3) The applicant shall execute a Supurtanama bond, binding him to comply with the above conditions and in default to forfeit an amount of ₹ 10,00,000/- (Rupees Ten Lakh only).
- 4) Upon execution of the aforesaid Supurtanama bond, the Investigating Officer shall handover the custody of the aforesaid seized vehicle to the applicant after drawing necessary panchnama and obtaining four attested colour photographs, capturing all four dimensions of the said vehicle, at the expense of the applicant and send the same to the court.
- 5) Record and proceedings of this application, the aforesaid colour photographs and panchnama be tagged with the case that may be filed in concerned crime.

Place: Shindkheda  
Date: 09/03/2026

(Vinita A. Naik)  
Judicial Magistrate First Class,  
Shindkheda

**CERTIFICATE**

It is certified that the contents of the present PDF file are true and correct as per the original signed order/judgment.

Name of stenographer : Sachin Arun Pardeshi  
Name of Court : Civil & Criminal Court, Shindkheda  
Date : 09/03/2026