

MHGA090003432026



**E-filing**

Received On :25/02/2026

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Decided on :13/03/2026

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**IN THE COURT OF JUDICIAL MAGISTRATE FIRST CLASS,  
CHAMORSHI, DIST. GADCHIROLI.**

(Presided over by Y.J. Valvi)

Cri. M.A. No.51/2026

Exh.1

Rekha Surendra Somankar,  
Aged 49 years, Occu. - Farmer,  
R/o. Janala Tukum,  
Tah. Chamorshi, Dist. Gadchiroli,

Applicant ....

Vs

State of Maharashtra,  
Through Police Inspector,  
AOP Ghot,  
Tah.Chamorshi, Dist.Gadchiroli.

Non-applicant .....

.....  
Adv for applicant

: Shri V. G. Chilange,

Adv for Non-applicant

: Shri S.M. Salame, A.P.P.  
.....

**Judgment**

(Delivered on 13/03/2026)

The instant application is filed under section 503 of Bharatiya  
Nagarik Suraksha Sanhita, 2023 for releasing Trolley bearing registration  
No. MH-33-V.-7801, Chassis No. SAI/12/2020/0114 seized in Crime No.  
76/2026 for the offence p/u/s 106(1), 281 of Bharatiya Nyaya Sanhita,  
2023 and 184 of MV Act registered at AOP, Ghot.

2. It is the contention of the applicant that, she is registered owner of the above mentioned vehicle. On 18/02/2026 applicant handed over said tractor trolley to Devidas Bhurse. AOP Ghot Police have seized the vehicle on the charge of 106(1), 281 of Bharatiya Nyaya Sanhita, 2023 and 184 of M.V. Act and registered the offence against Devidas Bhurse vide crime no. 76/2026. Vehicle is standing idle and unattended in AOP Ghot police station. The vehicle required for his agriculture works. The applicant is ready to abide by any condition to be imposed by this court while releasing the vehicle.

3. IO filed his say that, he has no objection to release the vehicle on imposing suitable conditions. Ld APP filed his say that, trolley is the case property of prosecution. Ld APP further submitted that, if the vehicle released then applicant may use the same in another offence, he may sell or modify the vehicle. Therefore, he prayed to reject the application.

4. Heard both sides. Perused the application and documents filed with it. From the copy of vehicle particulars of vehicle it appears that the applicant is registered owner of the said vehicle. No one has claimed the said vehicle except the applicant. If the said vehicle kept unused at the police station it will become junk. Considering the ratio laid down in **Sunderbhai Ambalal Desai Vs. State of Gujrat on 1 October,2022**, the application deserves to be allowed. Therefore, I proceed to pass following order.

### ORDER

- 1 Application is allowed.
- 2 Trolley bearing registration No. MH-33-V.-7801, Chassis No. SAI/12/2020/0114 seized in Crime No. 76/2026 be returned to applicant Rekha Surendra Somankar, on executing indemnity bond of 2,00,000/- (Rs. Two Lakhs

Only) against the vehicle.

- 3      The applicant to undertake that she shall not sell, transfer or create any third party interest on the above vehicle and she shall not change the nature of vehicle. The applicant to maintain and preserve vehicle in all respects. The applicant shall produce the vehicle in question as and when required and directed by the court and investigation officer. The applicant is further directed to undertake that she shall not use the vehicle in commission of any offence including the offence in which the vehicle was seized.
- 4      The I. O. is directed to prepare detail panchanama of the said vehicle, take photograph of the vehicle from four angle and release the above vehicle.
- 5      Prosecution is at liberty to approach this court for invoking the supratnama bond in case of breach of condition by the applicant or anybody on behalf of the applicant.
- 6      The record and proceeding of this application be attached to the chargesheet in crime 76/2026.
- 7      The custody of the said vehicles is interim pending trial and subject to final order in the case.

Dt. 13/03/2026

(Y.J.Valvi)  
Judicial Magistrate F.C.,  
Chamorshi.

**CERTIFICATE**

I affirm that the contents of this P.D.F. file are word to word same, as per original Judgment.

Name of Stenographer :Mr.S.N.Khandekar,  
Stenographer (Grade-3)  
Name of Court :Civil Judge (Jr.Dn.) &  
JMFC, Chamorshi.  
Date of Judgment/Order : 13/03/2026.  
Judgment checked and  
signed by Presiding Officer on : 13/03/2026.  
Judgment uploaded on : 13/03/2026.