

MHGA090003502026



**E-filing**

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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.53/2026

Exh.1

Shri. Sultan Mhomad Shekh,  
Aged 28 years, Occu.- Labour,  
R/o. Datala Road Mahada Colony,  
Chandrapur,  
Tah. & Dist.- Chandrapur.

Applicant ....

Vs

State of Maharashtra,  
Through Police Inspector,  
Police Station Mulchera,  
Tah. Chamorshi, Dist. Gadchiroli.

Non-applicant .....

.....  
Adv for applicant

: Shri. S. V. Chilange

Adv for Non-applicant

: Shri S. M. Salame, APP  
.....

**Judgment**

(Delivered on 24/03/2026)

The instant application is filed under section 503 of Bharatiya  
Nagarik Suraksha Sanhita, 2023 for releasing four wheeler Mahindra  
Bolero Camper bearing registration No. MH/15/E.G.-3121 Chassis  
no.MA1RY2GHKE3E35752 and engine no.GHE4E60804 seized in Crime  
No. 120/2025 for the offence p/u/s 65(e)(a) of Maharashtra Prohibition Act,

registered at Police Station, Mulchera.

2. It is the contention of the applicant that, he is registered owner of the above mentioned vehicle. On 19/12/2025 Mulchera Police have seized the said vehicle in crime no. 120/2025. The said vehicle is standing idle and unattended at Mulchera Police Station. The said vehicle is required for his daily use. The applicant is ready to abide by any condition to be imposed by this court while releasing the vehicle.

3. IO filed his say and opposed the application on the ground that the accused may repeat the same type of offence if it returned to applicant. IO further submitted that, the vehicle is seized as a evidence. Therefore, he prayed to reject the application. Ld. APP filed his say that, police have seized liquor of Rs.14,00,630/- including the value of the vehicle. Ld. APP further submitted that, crime no.139/2024, 339/2025 are pending against the accused, he is habitual offender and is in habit to commit again and again same kind of offence and there is no improvement in the conduct of the accused. Ld. APP further submitted that, offence is serious in nature. Therefore, he prayed to reject the application.

4. Heard both sides. Perused the application and documents filed with it. From the copy of R.C. Book 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 Four wheeler Mahindra Bolero Camper bearing registration No. MH/15/E.G.-3121 Chassis no.MA1RY2GHKE3E35752

and engine no.GHE4E60804 seized in Crime No. 120/2025 be returned to applicant Shri. Sulatan Mahommad Sheikh, till the conclusion of the trial on executing indemnity bond of 7,00,000/- (Rs. Seventy Lakh Only) against the vehicle.

3      The applicant to undertake that he shall not sell, transfer or create any third party interest on the above vehicle and he 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 he 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 cancellation 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 120/2025.

7      The custody of the said vehicle is interim pending trial and subject to final order in the case.

Dt. 24/03/2026

(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 : 24/03/2026.

Judgment checked and

signed by Presiding Officer on : 24/03/2026.

Judgment uploaded on : 24/03/2026.