

MHGA090003552026



**E-filing**

Received On :04/03/2026

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Decided on :13/03/2026

Duration : Y M D  
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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.55/2026

Exh.1

Shri. Naresh Gajanan Chichaghare,  
Aged 44 years, Occu. - Business,  
R/o. Atwadi Bazar, Hanuman Ward,  
Tah. & Dist. Gadchiroli,

Applicant ....

Vs

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

Non-applicant .....

.....  
Adv for applicant

: Shri P. J. Ghongade

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 Mahindra Scorpio bearing  
registration No. MH-33-V.-5550, Chassis No. MA1TA2TDKK2G20725  
and engine no.TDK4G82299 seized in Crime No. 40/2026 for the offence  
p/u/s 125(b), 281 of Bharatiya Nyaya Sanhita, 2023 registered at Police  
Station, Ashti.

2. It is the contention of the applicant that, he is registered owner of the above mentioned vehicle. Police Station Ashti have seized the vehicle on the charge of 125(b), 281 of Bharatiya Nyaya Sanhita, 2023 and registered the offence against known person vide crime no. 40/2026. Vehicle is standing idle and unattended in Ashti Police Station. The vehicle required for his daily 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, there is possibility that, the applicant may exchange or sell the vehicle and applicant may repeat the same kind of offence. Therefore he prayed for reject the application. Ld APP filed his say that, the vehicle is used for committing offence of section 106(1) of the BNS. Ld APP further submitted that, applicant 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 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 Mahindra Scorpio bearing registration No. MH-33-V.-5550, Chassis No. MA1TA2TDKK2G20725 and engine no.TDK4G82299 seized in Crime No. 40/2026 be returned to applicant Shri. Naresh Gajanan Chichaghare, on executing indemnity bond of 10,00,000/- (Rs. Ten Lakhs 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 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 40/2026.
- 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.