

MHGA090017692025



IN THE COURT OF JUDICIAL MAGISTRATE FIRST CLASS,
CHAMORSHI
(Presided Over by S. A. Bhaisare)

Cri.M.A. No.230/2025

Gaurav Jitendra Bhashakhetre

Age: 26, Occ: Farmer

R/o: Vyahad Khurd, Tah.Saoli,

Dist. Chandrapur

... **APPLICANT**

VERSUS

State of Maharashtra,

Through Police Station Officer,

Police Station, Chamorshi

... **NON-APPLICANT**

Appearance : Advocate for the applicant : Shri. T. G. Bharre

Spl. APP for State

: Shri. D.V Donadkar

ORDER Below Exh.01

(Passed on 12th March, 2026)

1] The present application is moved by the applicant under S. 503 Bhartiya Nagrik Suraksha Sanhita thereby soliciting to release the seized vehicle property namely Hyundai Accent bearing number MH 34 AA 2040 on supratnama.

2] Perused the application and replies thereon. Heard.

3] Perused FIR, particulars of vehicle bearing no. MH 34 AA 2040, Insurance Policy and Aadhar Card. The accused is charged with the offence punishable under S.65(a), 98 of Maharashtra Prohibition Act. It appears that the particulars of vehicle is in the name of one

Mustaqem Shaikh. Mustaqem filed his say at Exh. 7 stating that he has no objection to release the said vehicle in favour of the applicant. The accused filed his say at Exh.8 stating that he has no objection to release the said vehicle in favour of the applicant.

4] Undoubtedly, the vehicle is a movable property. If the property is not dealt properly and promptly, it is subject to speedy and natural decay thereby the owner of the vehicle would suffer because of its remaining unused or by its misappropriation. It is not the contention of the I.O that the investigation in respect of the vehicle is remaining. No purpose would be served by keeping the property in the police station. The right of prosecution to have a fair trial can be protected by imposing necessary conditions. As such, no prejudice would be caused to prosecution if application is allowed. In this context, it is just proper to release the property in favour of applicant. Hence, the following order is passed.

ORDER

- 1] The application is allowed subject to filing of valid insurance papers.
- 2] The vehicle namely Hyundai Accent bearing number MH 34 AA 2040 be handed over to the applicant on execution of indemnity bond of Rs. 1,50,000/- until the disposal of the case or further order of this Court incorporating the following conditions :
 - a) He will produce the vehicle as and when required before the Court.
 - b) He will not transfer or dispose it of in any manner

whatsoever without prior permission of this Court.

- c) He will not alter, tamper or change the nature of the vehicle in any manner whatsoever.
- d) He will not use it to commit any offence.
- 3] If he fails to abide by any of the conditions, his bond would be forfeited.
- 4] For fair trial, Investigation Officer in crime no. 337/2025 is directed to prepare proper and detailed panchanama describing the nature of the property in details after taking colour photographs of the vehicle and file the same with the charge-sheet.
- 5] The *afore* said photographs shall be signed by the complainant, accused as well as the applicant.
- 6] The copy of this order be sent to Police Station, Chamorshi to file it in crime no. 337/2025.
- 7] The Investigating Officer shall return the vehicle to the applicant after verifying the ownership from the certificate of registration and on confirming that the vehicle is duly insured.
- 8] Application is disposed of accordingly.

Sd/-

Date: 12/03/2026

(S. A. Bhaisare)
Judicial Magistrate, First Class,
Chamorshi