

MHGA090019762025



E-filing

Received On :16/12/2025

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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.257/2025

Exh.1

Shri. Devnath Ishwar Pendorkar,

Aged 40 years, Occu.- Farmer,

R/o. Vyahad Burj,

Tah. Sawali, Dist.- Chandrapur.

Applicant

Vs

State of Maharashtra,

Through Police Inspector,

Police Station Chamorshi,

Tah. Chamorshi, Dist. Gadchiroli.

Non-applicant

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Adv for applicant : Shri. D. G. Undirwade

Adv for Non-applicant : Shri S. M. Salame, APP
.....

Judgment

(Delivered on 13/03/2026)

The instant application is filed under section 503 of Bharatiya
Nagarik Suraksha Sanhita, 2023 for releasing two wheeler Suzuki Access
125 bearing registration No. MH/34/B.P.-0774 Chassis
no.MB8DP11AGJ8954760 and engine no.AF215100546 seized in Crime
No. 470/2025 for the offence p/u/s 65(a), 98, 83 of Maharashtra Prohibition
Act, registered at Police Station, Chamorshi.

2. It is the contention of the applicant that, he is registered owner of the above mentioned vehicle. He handed over his vehicle to friend namely Tanaji Nanaji Pendorkar. Chamorshi Police have seized the said vehicle in crime no. 470/2025. The said vehicle is standing idle and unattended at Chamorshi 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, applicant will commit same kind of offence again if the vehicle released. Ld. APP further submitted that, the investigation is in progress. Therefore, he prayed to reject the application.

4. Heard both sides. Perused the application and documents filed with it. From the copy of particular 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 Two wheeler Suzuki Access 125 bearing registration No. MH/34/B.P.-0774 Chassis no.MB8DP11AGJ8954760 and engine no.AF215100546 seized in Crime No. 470/2025 be returned to applicant Shri. Devnath Ishwar Pendorkar, till the conclusion of the trial on

executing indemnity bond of 40,000/- (Rs. Fourty thousand 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 470/2025.

7 The custody of the said vehicle 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.