



IN THE COURT OF DISTRICT JUDGE-1 & ASJ, GONDIA.

SPECIAL (MCOCA.) CASE NO. 41/2022.

(CNR NO.MHGO010006472022)

STATE, PSO, DEORI -VS- AJAY @ FAUJI & OTH.

ORDER BELOW EXH. 68.

(Passed on this 09th day of December, 2024)

Seen application.

2. This is an application filed by applicant Rupeshkumar Virsain Singh for releasing Scorpio Car of Mahindra Company bearing registration No. UP-17/H-8058 on supratnama.

3. It is contended by the applicant that he is POA of Mainshkumar Virsain Singh who is registered owner of said vehicle. It is seized in Crime No.294/2021 registered with Police Station, Deori. Applicant needs seized vehicle for his daily operation and work. He is ready to abide any condition which the court will impose while releasing the said vehicle. If it is not release on suprutnama then its condition is detoriate due to non-attendance and proper care. Accordingly, made request in above terms.

4. I.O. and learned APP have filed say and objected the said application.

5. Heard learned advocate for the applicant and the learned APP.

6. From perusal of record, it is clear that the registered owner of said vehicle namely Mainshkumar Virsain Singh is one of the accused in present crime and he is in Magisterial custody. On perusal of document filed vide list Exh.111, it appears that he has executed general power of attorney in favour of his brother/applicant Rupeshkumar Virsain Singh and he authorized him to appear before Court of law on his behalf for getting said vehicle if released on suprutnama.

7. Copy of registration certificate shows that seized vehicle bearing registration No. UP-17/H-8058 stands in the name of Mainshkumar Virsain Singh. In above facts, seized vehicle can be released on interim custody of registered owner Mainshkumar Virsain Singh through his brother/POA Rupeshkumar Virsain Singh. No purpose would be served in keeping said vehicle detained at Police Station. Keeping vehicle detained at Police Station open to sunlight and rain would cause deterioration of it. Therefore, I am inclined to allow application. Hence, the following order.

ORDER

Application (Exh. 68) is allowed.

2. Seized Scorpio Car of Mahindra Company bearing registration No. UP-17/H-8058 be released in favour of registered owner Mainshkumar Virsain Singh through the applicant/POA Rupeshkumar Virsain Singh on executing supratnama bond of Rs.8,00,000/- on the following conditions;
- (i) The applicant shall not change the colour or appearance of the said vehicle.
- (ii) The applicant shall not sell, alienate or transfer the said vehicle without prior permission of the Court.
- (iii) Before releasing the said vehicle on suprutnama bond, I.O. is directed to take colour photographs and prepare detailed panchnama of the said vehicle and filed the same on record.
- (iv) Applicant will also undertake in addition that if necessary, applicant shall produce the said vehicle at the time of trial, if required by the court.
3. Inform concerned police station accordingly.

Gondia.
Date: 09.12.2024.

(A. S. Pratinidhi)
District Judge-1 & ASJ,
Gondia.

Dictated and transcribed on dais computer	:	09/12/2024
Checked by the judge	:	09/12/2024
Finally printed and signed by the Judge	:	09/12/2024