

IN THE COURT OF SESSIONS JUDGE, G O N D I A.

S.T. No. 56/2017
CNR No.MHGO010010112017
State -Vrs- Rewaram & ors.

ORDER BELOW EXH.36.

(Passed on this 27th day of June, 2018)

1. Heard advocate for applicant. The motorcycle is seized by police. It is lying in the police station. It came to be seized and prosecution specifically submitted that vehicle was used by the accused while committing offence. Alleged offence is regarding Section 203, 120-B, 201, 404 read with Section 34 of the Indian Penal Code.
2. Applicant was directed to furnish copy of original R.C. Book. Today a document is tendered on behalf of applicant which indicates that the vehicle is registered in his name.
3. It is said that since about a year the vehicle is lying idle at the police station. Some of the accused are in Jail. Charge is already framed in this matter. Offence of murder is also attracted in this matter which is not shown by the applicant in this application. It is yet to be determined whether there is false implication or not. Applicant may be owner of the vehicle, but it was shown to have been used by accused while committing offence. Prosecution also submitted that it may be required at the time of trial. Vehicle is seized from accused. Accused No.3 has given no objection to release the vehicle in favour of

applicant. This fact also indicates that accused is in favour of applicant at least to the extent of release of this vehicle. This vehicle is important piece of evidence in serious offence of murder. Prosecution also objected for release of the vehicle. Now the matter is at the stage of evidence. Hence, at this stage, it is not appropriate to release the vehicle. Hence, order-

ORDER

Application Exh.36 filed by Umendra S/o Dhanraj Uike praying for custody of the vehicle, is hereby rejected.

Gondia.
Dated: 27.06.2018.

(Kamalakar A. Kothekar)
Sessions Judge, GONDIA.