

MHGO070000162026



Order Below Exh.1-A
(Passed on 23/04/2026)

The present application is moved by the applicant under Section 503 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for releasing seized vehicle i.e. Tata Xenon Dicor Pick up, bearing registration No. **MH-32/FC- 0211** on suprutnama. It is further submitted that offence is registered by police station, Deori vide Crime No. 551/2025 punishable Under Sections 11(1)d of the Prevention of Cruelty to Animals Act, 1960. It is contention of the applicant that he is owner and possessor of seized vehicle. If the said vehicle is kept lying in the police station, it will become junk day by day. Lastly, he prayed to grant the application.

2. I.O. and learned SAPP filed say. I.O. has objection and SAPP submitted to reject release of the vehicle on supratnama of the applicant.

3. Meanwhile the intervention applicant i.e. Annapurna GourakshanSantha,Pimpalgaon/Sadak, Taluka-Lakhani, Distt.- Bhandara has filed an application vide Exh. 6 and submitted to allow the present intervention application directing him to pay Rs. 300/- per day per cattle towards daily maintenance as per Notification dated 18/12/2007 issued by Urban Development, Department, Govt. of Maharashtra.

4. Heard Learned Advocate Shri D. S. Bansod for the applicant, Learned APP Smt. R. S. Sangidwar for the State and Shri Sharad Borkar, Advocate for intervention Sanstha.

5. I have gone through the Prevention of Cruelty to Animals (Care and Maintenance of Case Property Animals) Rules 2017. In view of Rule 5(4), where a vehicle has been involved in an offence, the Magistrate shall direct that the vehicle be hold as security. It is further submitted by the advocate for the applicant that in crime no. 551/2025 of Police Station, Deori for the offence punishable under sections 11(1)d of the Prevention of Cruelty to Animals Act, 1960, the concerned applicant in Misc. Cri. Appln. No. 02/2026 has deposited maintenance expenses of Rs. 200/- per cattle for 10 days for 6 animals i.e. an amount of Rs. 12,000/-on 20/02/2026 with Annapurna Gourakshan Santha,Pimpalgaon-Sadak, Taluka-Lakhani, Distt.- Bhandara vide application and receipt at Exh. Nos. 07 to 09 respectively which have been filed by the applicant on record. As the applicant in the above said application has already deposited the maintenance expenses, it is not necessary to deposit the same above expenses by the applicant in this case.

6. From the copy of R. C. book, the applicant appears to be possessor and owner of seized vehicle. As the applicant shown his ownership over the seized vehicle, he is entitled for possession of the vehicle. The possibility of damages to said vehicle cannot be ruled out, if kept lying in the police station. The trial would not be concluded in near future. As the applicant shown his ownership and possession over the seized vehicle, he is entitled for possession of the same. In the result, I pass the following order :

ORDER

1. The application is allowed as follows :
 - a) The I. O. police station, Deori is directed to handover interim custody of the seized vehicle **i.e. Tata Xenon Dicor Pick up, bearing registration No. MH-32/FC-**

0211 to the applicant **Aashish s/o Dhanraj Kathane** till conclusion of the trial on executing indemnity bond of Rs. 5,00,000/-.

- b) The applicant is directed to submit indemnity bond before I.O. and I. O. is directed to file said indemnity bond with charge-sheet.
2. The I.O. is further directed to file photographs and panchanama of seized vehicle.
3. The applicant shall not sell, transfer or change nature of seized vehicle till conclusion of trial. He shall produce said seized vehicle as and when directed and required by this Court.
4. The applicant to maintain and preserve the muddemal in all respects and shall not use said vehicle in any other crime in future.
5. Intervention application (Exh. 6) is hereby rejected.

Date :23.04.2026.

(V. S. Mendhe)
Judicial Magistrate F.C.,
Deori

प्रमाणपत्र

मी अधिकथन करते की, या पी.डी.एफ. करुन अपलोड केलेल्या न्यायनिर्णयामधील शब्द-नि-शब्द हे मूळ न्यायनिर्णयाप्रमाणे आहेत.

लघुलेखकाचे नाव : संजीवन वामन मळामे ,
न्यायालयाचे नाव : श्रीमान व्ही. एस. मेंढे, न्याय
दंडाधिकारी प्रथम वर्ग, देवरी.

न्यायनिर्णयाची तारीख : २३/०४/२०२६
न्यायनिर्णयावर पीठासीन अधिकारी यांनी : २३/०४/२०२६
स्वाक्षरी केल्याची तारीख
न्यायनिर्णय अपलोड केल्याची तारीख : २३/०४/२०२६