

**R.C.C. No. 125/2024**  
**R.P.F., Bhusawal Loco vs. Rahul-17**  
**CNR-MHJG110051052024**

**ORDER BELOW EXH. 122**

1. The present application is moved by applicant/accused Harshal Pradip Patil under section 497 of The B.N.S.S. for return of Goods Carrier (Chhota Hatti) vehicle bearing registration No.MH-04/GF-1225 of Tata Company. It is contended that, Amin Fakira Pinjari is the owner of said vehicle and it is seized by R.P.F. Bhusawal Loco. If said vehicle lying in R.P.F. station then the irreparable loss would be caused to the applicant. The said vehicle and it's parts will be damaged if it is not in use. The applicant is ready to abide by conditions if imposed by this Court. Praying that, application may kindly be allowed and R.P.F. may be directed to release Goods Carrier (Chhota Hatti) vehicle bearing registration No.MH-04/GF-1225.

2. Railway Prosecutor Shri. Ajaykumar Singh filed say on application at Exh.129 contending that, the vehicle in question was seized in connection with this case as stolen materials were transported by this vehicle. Since the complaint have been filed in to the matter and trial is yet to be start. Hence, necessary order may kindly be passed.

3. Heard Adv. R.M. Yadav for the applicant and Railway Prosecutor Shri. Ajaykumar Singh for the R.P.F.

4. Perused the record.

5. Crime No. 08/2023 under section 3(a) R.P.U.P Act is registered against accused persons at R.P.F. Bhusawal Loco. Said vehicle has seized while investigating the crime. The applicant has filed some documents below list of document at Exh.125. On the perusal of registration certificate it

appears that, Shaikh Amin Fakira Pinjari is the owner of said Goods Carrier (Chhota Hatti) vehicle bearing registration No.MH-04/GF-1225. Shaikh Amin has filed affidavit and given consent to hand over the seized vehicle to applicant Harshal Pradip Patil. The said vehicle is not claimed except the applicant and the owner of vehicle has no objection to return the vehicle to the applicant. Therefore, no purpose would be served by keeping said vehicle in R.P.F. Hence, in the interest of justice, I proceed to pass the following order :

### **ORDER**

1. The application is allowed as under:
2. The R.P.F., Bhusawal Loco is directed to hand over the Goods Carrier (Chhota Hatti) vehicle bearing registration No.MH-04/GF-1225 of Tata Company to the applicant.
3. The applicant is directed to execute Supurtnama of Rs.3,00,000/- (Rupees Three Lakhs only) for the said vehicle.
4. The inquiry officer to release the vehicle after verification of ownership documents and the supurtnama shall be filed in the Court.
5. The applicant is directed not to alienate/ sold, not to make change in the said vehicle without prior permission of this Court and produce it before the Court as and when directed.
6. The application is accordingly disposed off.

sd/-

Place : Bhusawal

**(V. B. Salunke)**

Date : 20-02-2025

Judicial Magistrate F.C. (Rly)

Bhusawal