

MHJN030027852026 	<u>Cri. M.A. 461/2026</u> <u>Ganesh Vs. State</u>
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ORDER BELOW EXHIBIT-1

Nature of the Application

This is an application filed by applicant (for short 'the applicant') seeking custody of MAHINDRA & MAHINDRA LTD company model BOL MAXX PUP HD 2.0L LX CBC bearing registration no. MP-09-AG-8952, Chasis No. **MA1RE2TTKR6K30270**, Engine No. **TTR4J20853**, (for short the 'vehicle') in crime register no.222/2026, registered at Police Station Taluka Jalna.

Contents in the Application-

2. The applicant has contended that the applicant is the owner of the said vehicle. The said vehicle is seized in Cr. No.222/2026. The applicant is in need of the vehicle. The vehicle is lying at the Taluka Jalna, Police Station. There is no facility in the premises of police station to safe guard the vehicle and it will result in damaging the vehicle. The applicant is ready to obey the conditions as imposed by the Court. On these grounds the applicant has prayed to grant the application.

Contents in the Say of Investigating officer and APP-

3. The Assistant Public Prosecutor (for short 'APP') has filed his say and submitted that the offence leveled against the accused is serious in nature. There is possibility of commission of like offences and change in nature of muddemal hence, prayed to reject the application. The investigation officer (for short 'I.O.') at Exh -04 has filed his say and submitted that there is possibility of commission of like offences. Hence,

prayed to reject the application.

Points and Findings-

4. Heard both the sides. Upon hearing the following points arise for my consideration and I record my findings thereon as under for the reasons to follow :-

Sr. No	Points	Findings
1)	Is the applicant entitled for the custody of the said vehicle, as prayed for ?	Yes
2)	What order ?	Application is allowed. As per final order.

Reasons as to Point No. 1 and 2-

5. The applicant has produced on record the Insurance Copy, copy of Aadhaar Card of applicant (Exh.05), Copy of R. C. book (Exh.06), Copy of Vehicle particulars (Exh.11), Copy of Insurance and copy of FIR. Accused/driver filed his affidavit at (Exh.14) and submitted that applicant is the owner of the said seized vehicle and he has no objection the handover the custody of the said vehicle in favour of the applicant. After going through the contentions in the application, the copy of the R. C. and vehicle particulars there cannot be any dispute that the vehicle is owned by the applicant and he is its owner by purchase. No other person except the applicant has appeared seeking custody of the vehicle till today. In view of scope of Section 503 of BNSS., I am of the opinion that the applicant is entitled to receive custody of the vehicle.
6. Also, considering that the vehicle which has been seized might be lying in open place at the concerned police station and it is

likely that its condition will deteriorate and the same would not be beneficial and which might result into loss. Under such circumstances, it is necessary to make adequate arrangement so as to maintain the seized vehicle in proper condition and ensure its production, if necessary, during the trial as and when required.

7. Also, if the proper panchanama before handing over vehicle is prepared, that can be used in evidence instead of its production before the Court during the trial. It is of no use to keep such seized vehicles at the police stations for a long period. Owner of the vehicle should not suffer because of the vehicle lying at the police station unused for long.
8. In view of the discussion supra and considering the aforesaid facts, in the interest of justice, I am inclined to grant the application by imposing conditions. Accordingly, I answer point no. 1 in the affirmative and for point no. 2, I pass the following order.

ORDER

1. The application is Allowed.
2. The interim custody of MMAHINDRA & MAHINDRA LTD company model BOL MAXX PUP HD 2.0L LX CBC bearing registration no. MP-09-AG-8952, Chasis No. **MA1RE2TTKR6K30270**, Engine No. **TTR4J20853**, be handed over to the applicant on executing Suprutnama, bond in the sum of Rs. 25,00,000/- (Rs. Twenty Five Lakhs Only) before this Court imposing following conditions :-
 - (a) The applicant shall not transfer, alienate and/or create any third party interest in the vehicle in any manner.
 - (b) The applicant shall not change the colour, nature and appearance of the said vehicle and keep it as it is, so as to be identifiable.

- (c) The applicant shall produce 4 coloured photographs of the said vehicle, which will disclose its full identity. Concerned Police is directed to facilitate the photographs.
- (d) The applicant shall not use the vehicle for any illegal or any unlawful purpose or in any other offence.
- (e) The applicant shall produce the vehicle before the Court as and when required or ordered to do so. The applicant shall also produce the said vehicle as and when required for investigation.
- (f) The bond shall stand forfeited to the State in case of failure to abide by the conditions herein.

3. This proceeding be tagged with the case papers as and when final report is received in the said crime.
4. After execution of the supurnama bond and furnishing the colour photographs by the applicant, the investigating officer shall hand over the custody of the said vehicle to the applicant by preparing necessary panchanama.
5. Issue copy of this order to the concerned Investigating Officer for its compliance. Concerned PSO to file compliance report within 7 days from this order.

Date-06.07.2026
Jalna

(Ruheena Anjum Mohd. Younus)
J.M.F.C. (Court No.02)
Jalna.

CERTIFICATE

I affirm that the contents of this PDF file order is same word to word, as per the original order.

Name of Stenographer : H. S. Korde
Court : JMFC Court No.2, Jalna

Date of PDF : 06.07.2026