

MHJN04-000562-2026

Cri.M.A. No.61/2026
Shakil Salim Shaikh -V/s- State

ORDER BELOW EXH.1
(Passed on 16.03.2026)

The application is moved Under Section 503 of Bhartiya Nagarik Suraksha Sanhita, for interim custody of seized **Maruti Suzuki India Limited – Swift Dzire VDI BS IV, bearing registration No.MH-03-BH5602, Chassis No.MA3FJEB1S00255704, Engine No.D13A2049453**. The applicant **Shakil Salim Shaikh** claims to be the owner of said vehicle. It was seized in **Crime No.0128/2026** registered with P. S. Ambad, for the offence punishable U/s.106 (1), 125(b),281 of the B.N.S. The applicant prayed to release said vehicle and to hand over interim custody of the same.

2] I.O. and Learned APP filed say and strongly objected to release seized vehicle on the ground that the seized vehicle is used in serious offence. Moreover, the seized vehicle was the cause of the death of brother of the informant. Seized vehicle is important piece of evidence. If seized vehicle released, he will sale, transfer or change the nature of seized vehicle. If said property released on bond, then there is absolute possibility of tampering or destroy. Hence, they prayed to reject the application.

3] Heard both sides. The applicant filed on record, copy of F.I.R., online copy of insurance policy of vehicle, verified copy of R.C., verified copy of driving license of applicant, verified copy of Adhar card of applicant. From said documents, applicant **Shakil Salim Shaikh** appears to be the owner of seized vehicle. No purpose will be served by keeping the vehicle in the police station. The possibility of damage to seize vehicle cannot be ruled out.

4] From say of I.O., it revealed that seized vehicle has been inspected by R.T.O. In such circumstances, vehicle is not required for

further investigation. Hence, applicant is entitled to get interim custody of seized vehicle. Moreover, in the case of **Sundarbhai Vs. State of Gujarat, (2002) 10 SCC 283**, the Hon'ble Supreme Court has observed that the vehicle should not be kept at the police station and be handed over to the person entitled thereto.

5] As the Applicant **Shakil Salim Shaikh** prima facie made out the ownership over the seized vehicle, it is just to allow the application. Hence, the following order:-

O R D E R

1. The application is allowed.
2. The PSO. P S. Ambad, is directed to hand over the custody of seized vehicle of **Maruti Suzuki India Limited – Swift Dzire VDI BS IV, bearing registration No.MH-03-BH5602, Chassis No. MA3FJEB1S00255704, Engine No. D13A2049453** to the applicant **Shakil Salim Shaikh** on her executing supratnama bond of Rs.9,00,000/- (Rs. Nine Lac rupees only) on the following conditions -
 - a) The applicant shall produce seized vehicle as and when directed by the Court.
 - b) The applicant to undertake that he will not sale, transfer or change the nature of seized vehicle during the custody. He is further directed to maintain and preserve seized vehicle in all respect.
 - c) The applicant shall not use seized vehicle for any illegal purpose.
 - d) The concerned officer is directed to take photographs of seized vehicle and to prepare detailed panchnama while handing over the seized vehicle to the applicant and obtain his signature on the panchnama as well as on photographs.
3. Issue letter to concerned Police station.

CERTIFICATE

I affirm that the contents of this PDF file are word to word as per original Order.

Name of Steno : S.M. Sapkal

Name of the Court : Judicial Magistrate,F.C., Ambad

Date : 16.03.2026

Sd/-

Signature of Stenographer