

ORDER BELOW EX-1

1] This is an application filed by the applicant **Nikhil Laxman Mahadeshwar** for return of property i.e. Motor Cycle bearing registration No.MH-01-BE-9419 worth Rs.20,000/- seized in CR No.467/2024 registered U/sec. 303(2) of Bhartiya Nyaya Sanhita by Chembur Police Station.

2] Say of I.O. and A.P.P is called. They raised objection for return of property to the applicant.

3] The applicant has filed papers of the vehicle including affidavit, copies of owners details, driving licence and copy of Adhar Card. I have gone through other documents including FIR. It would show that, the applicant is registered owner of the said vehicle. Therefore, being owner of the vehicle, he is entitled to get interim custody thereof. The FIR would show that, he is the informant and had lodged report against unknown person. The reply of I.O. would show that the bike has been seized.

4] Much time will require to decide the matter. No good purpose would serve by keeping the vehicle in idle condition within premises of the police station for long time. It will certainly cause damage to the vehicle. Therefore, I am inclined to allow the application. Hence, I pass the following order:-

ORDER

1] The seized property of CR. No. 467/2024 of Chembur Police Station



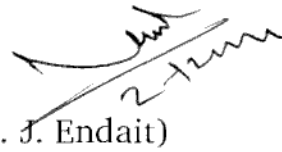
i.e. Motor Cycle bearing registration No. MH-01-BE-9419 worth Rs.20,000/- be returned to the applicant **Nikhil Laxman Mahadeshwar**, on executing indemnity bond of Rs.20,000/- (Rs. Twenty Thousand only) with conditions.

2] The applicant shall not sell, transfer, alienate, dispose of or hand over the seized property to third person till the conclusion of trial and shall not change nature thereof.

3] He shall produce the same as and when directed by the Court.

4] The Investigating Officer is directed to take the indemnity bond of the applicant and return the muddemal vehicle on due verification of the applicant.

5] I.O. to submit copy of indemnity bond.



(D. J. Endait)

Mumbai.
Date.02/12/2024.
dj

Addl. Chief Judicial Magistrate,
11th Court, Kurla, Mumbai.