

MHJN050002782026



Order Below Exh. No.01
(Passed on 16/03/2026)

This is an application under Section 503 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for releasing **Tata Motors Ltd. Company's 710 SFC DCR38CBC 100B6M5 Tipper** vehicle bearing registration **No.MH-21-BH-5297** having its **Chassis No.MAT506328N8F11837 and Engine No. 4SPCR16EXX614550** on supratnama.

2] Perused application, say and documents filed on record. Heard, Adv. Shri. A. A. Jawlekar for the applicant and Special APP Shri. U. D. Rathod for the State.

3] The applicant has submitted that the above said vehicle is seized by the Police Station, Partur in **Crime No.59/2026** for the offence punishable Section 106 (1), 125 (a), 125(b), 281, 324 (4), 324 (5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 134 (A), 184 & 177 of the Motor Vehicle Act. The applicant is owner of the said vehicle. The applicant has no concern with the offence. The vehicle is necessary for his daily routine purpose and business. For this reason, the applicant prayed for releasing the seized vehicle on supratnama.

4] The Investigating Officer has filed say **(Exh.04)** and resisted the application alleging that if the seized vehicle is released, then it will reuse for commission of similar offence. The learned Spl. APP strongly opposed this application and submitted that investigation is going on. As the offence is very

serious in nature, there is possibility repetition of similar crime. Further, he stated that said vehicle is required for prosecution for the purpose of evidence. Hence, he prayed to reject the application.

5] The applicant has filed on record the copies of the documents in respect of the ownership of the vehicle i.e. Certificates of Registration of vehicle, FIR, Insurance Policy, PUC Certificate, Vehicle Fitness Certificate and Aadhar Card for his identity. The Certificate of Registration bears the name of applicant as an owner of seized vehicle. The vehicle is appears to be validly insured at the time of incident, therefore, there is no obstacle in claim of compensation, if entitled and for that purpose no need to keep the vehicle pending with police station.

6] After considering above aspects, I am of the view that mere involvement of seized vehicle in offence of can not be ground for rejection of interim custody of seized vehicle. Because certain conditions for producing the vehicle as and when required and not to use the said vehicle in commission of an offence in future can be imposed.

7] The learned advocate of the applicant has filed one ruling of Hon'ble Supreme Court, Sundarabai Ambalal Desai V/s State of Gujrat, 2002. I have gone through the said authority. In this ruling, it it mentioned that whatever be the situation, it is of no use to keep-seized vehicles at the police stations for a long period. It is for the Magistrate to pass appropriate orders immediately by taking appropriate bond and guarantee as well as security for return of the said vehicles, if required at any point of time. The Spl. A. P. P. and Investigating Officer filed their say on record contending that R. T. O. examination is still pending for the said vehicle. As per the ruling filed by the learned advocate of the applicant vehicle can be make available for such

examination by imposing some conditions upon applicant and taking bond from him.

8] On perusal of documents, it appears that the applicant is the owner of the seized vehicle. The Court of competent jurisdiction will decide and punish the accused for commission of alleged offence as per the law. The custody of the said vehicle in Police Station premises is not safe for the purpose of preservation of the vehicle. On the contrary, the applicant can preserve the vehicle properly. The vehicle might be useful for the applicant. However, while releasing the said vehicle on supratnama in favour of the applicant, certain terms and conditions are required to be imposed for securing presence of vehicle. Accordingly, the application is deserves to be allowed. Hence, I pass the following order.

ORDER

- 1) The application is hereby allowed.
- 2) The seized **Tata Motors Ltd. Company's 710 SFC DCR38CBC 100B6M5 Tipper** vehicle bearing registration No. **MH-21-BH-5297** having its **Chassis No. MAT506328N8F11837** and **Engine No. 4SPCR16EXX614550** on supratnama be handed over to the applicant until further order, on execution of Supratnama bond of Rs.20,00,000/- (Rs. Twenty Lac only), after his due verification.
- 3) The Investigating officer is directed to obtain photograph and documents of the seized vehicle at the time of its handing over to the applicant and prepare panchanama of the releasing vehicle for identification purpose, at the cost of applicant and to annex with the charge-sheet prepared in the **Crime No.59/2026.**
- 4) The applicant shall not ply the released vehicle on road without valid insurance.

- 5) The applicant shall not sell or transfer the released vehicle to anybody without prior permission of this Court.
- 6) The applicant shall not change the colour, size or other features of the released vehicle in any manner and to maintain and preserve the released vehicle in all respects as on today.
- 7) The applicant shall produce the released vehicle as and when required by the Investigating Agency or by the Court in investigation, inquiry or trial.
- 8) The applicant shall not use the released vehicle in any crime in future.

(Order is dictated and pronounced in open Court)

Dated : 16.03.2026

Place : Partur

(V. B. Dombe)

Judicial Magistrate First Class,

Partur.

- : C E R T I F I C A T E : -

I affirm that the contents of this Pdf file order are same word as per original order.

Name of Stenographer :- M. D. Adhe
Court Name :- V. B. Dombe, C.J.J.D., Partur
Order dictated on :- 16.03.2026
Transcription ready on :- Direct on Computer
Order signed by P.O. on :- 16.03.2026
Order uploaded on :- 17.03.2026

(Madhav D. Adhe)
Stenographer Grade-3