

MHJN060009412026



Cri.M.A. No. 114/2026
(Rameshwar Balaji Thombre Vs. State of Maharashtra)

ORDER BELOW EXH.1
(Decided on 24.06.2026)

Present application is filed by Rameshwar Balaji Thombre, under **Section 503 of Bharatiya Nagarik Suraksha Sanhita**, for interim custody of vehicles seized in **C.R.No.264/2026** registered at Bhokardan police station bearing following description:-

- | | | |
|------------------|---|----------------------------------|
| 1) Model Name | - | Bajaj Auto Ltd. Pulsar 125 DTS I |
| Registration No. | - | MH 21 BU 3055 |
| Chasis No. | - | MD2B64BX2MW G18607 |
| Engine No. | - | DHXWMG90275 |
| 2) Model Name | - | Honda Splendor+ (DRS) |
| Registration No. | - | MH 21 CE 0107 |
| Chasis No. | - | MBLHAW233R9F06170 |
| Engine No. | - | HA11E8R9F26543 |

(Hereinafter referred as 'Said Vehicle')

2] It is contention of the applicant that, applicant is in need of said vehicles for his daily use. Without said vehicles he is suffering from irreparable loss. If said vehicles are kept in police station without use then its condition will deteriorate. Said vehicles are not in need for further investigation. Hence, he prayed to handover interim custody of said vehicles.

3] Say of I.O. and learned A.P.P. was called out. A.P.P. filed her say that offence is serious in nature. There are chances that

accused may tamper with the seized vehicles. Seized vehicles are important piece of evidence and it is not perishable in nature. Therefore, he prayed to reject the application. I.O. also filed his say at Exh.4 with the contention that there are chances that the informant may tamper with the motorcycles.

4] Perused the application, Say of A.P.P and I.O. and record of the present case. Heard Ld. Advocate for the applicant.

5] Upon perusal of the say of I.O. at Exh.4 it is seen that, said vehicles are seized by the police during investigation in C.R.No.264/2026. Applicant has filed Vehicle Particular along with Exh. 3 and R.C.Book of R.T.O. at Exh.6 It is seen that said vehicles are registered in the name of applicant.

6] Hence, no purpose will be served by keeping the custody of said vehicle with the police. Till today except applicant no one claimed the said vehicle before this court.

7] Hon'ble Supreme court laid down the ratio in ***Sunderbhai Ambalal Dessai v. State of Gujarat(2002) 10 SCC 283*** 'Owner of the article would not suffer because of its remaining unused or by its misappropriation. It is also laid down that before handing over possession of the article proper panchanama is to be prepared.'

8] After considering the reasons mentioned above, documents produced on record and ratio laid down in *Sunderbhai (Supra)*, it is seen that applicant is entitled to get the interim custody of said vehicle. So, I pass following order –

ORDER

1. Application is allowed.

2. I.O. from Bhokardan police station is directed to take indemnity bond for the amount of Rs.2,00,000/- in lieu of said vehicles from the applicant and current insurance policy of said vehicle.
3. The I.O. from Bhokardan police station is hereby directed to handover the interim custody of seized vehicle Pulsar bearing no.MH-21-BU-3055 and vehicle Splendor+ bearing no. MH-21-CE-0107 to the applicant by making detailed panchanama of the said vehicles by taking photographs, identification of the applicant and on the following conditions :
 - a. he shall not alienate, transfer or change the nature of said vehicles till final disposal of the said crime.
 - b. he shall produce said vehicles as and when required by the Court.
 - c. he shall submit certified copy of Vehicle Particular, Insurance Policy of said vehicle to police station Bhokardan.
4. I.O. from Bhokardan police station is further directed to submit the detailed Panchanama before this court along with charge-sheet.

Date:- 24.06.2026

(Mayuresh R. Kale)
Judicial Magistrate First Class,
Bhokardan.

CERTIFICATE

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

Name of Steno	:	G.M.Padol
Court	:	CJJD & JMFC, Bhokardan
Date	:	24.06.2026
Judgment/order signed by the Presiding Officer on	:	24.06.2026
Judgment/Order uploaded on	:	24.06.2026