


<b>MHJN070003362026</b> 	<b>Criminal M.A. No. 46/2026</b> <b>Sanjay vs.. State</b>
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**ORDER BELOW EXH. 1**

(Dt. 16.03.2026)

This is an application under Section 503 of the Bharatiya Nagarik Suraksha Sanhita, 2023, filed by the applicant for the interim custody of the property i.e. Tata tipper bearing registration No. MH-17 CV-5709 seized by Police Station Jafrabad in Crime No. 445/2025 for the offence punishable under Section 303(2) of B.N.S.

2. The applicant submitted that his tipper is seized by non-applicant. It is contended that the tipper is owned by applicant and it is very useful for his livelihood. He is ready to abide conditions imposed by the Court. Therefore, prayed for releasing the seized property in his favour.

3. The Investigating Officer has filed a detailed reply at Exh.4 opposing the application. The Learned A.P.P. has also opposed the prayer, submitting that the investigation of present crime is in progress, if the seized vehicle is released then it will be used for committing same kind of offence, the applicant has not filed any registered document regarding tipper. Hence, prayed to reject the application.

4. Perused the application, say of I.O. and learned APP. The application is supported with affidavit of the applicant. The applicant has produced on record the verified photo copy of vehicle particulars of tipper at Exh.3/1. On perusal of the same, it appears that the applicant is owner of seized tipper. It reveals from the FIR that the tipper was

seized in Crime No.445/2025 for the offence punishable under Section 303(2) of B.N.S. Thus, when applicant has filed all proof in respect of his ownership of seized tipper this Court is satisfied that the applicant is entitled to interim custody of the tipper on reasonable conditions including prohibiting applicant from using tipper for any criminal activity. Considering all circumstances at present if interim custody is not granted to the applicant it may cause inconvenience as the tipper would get damage lying the custody of police. Hence, following order is passed:

**ORDER**

1.	The application is allowed.
2.	The interim custody of the property i.e. Tata tipper bearing registration No. MH-17 CV-5709 seized in Crime No. 445/2025, registered with Police Station, Jafrabad be handed over to the applicant <b>Sanjay Pralhad Giri</b> till the final disposal of case on his executing indemnity bond of Rs. 20,00,000/ (Rs. Twenty lakh) for tipper on the following conditions:
a.	Applicant shall not transfer the same in any manner.
b.	He shall not change its nature in any manner.
c.	He shall not use it for commission of any crime.
d.	He shall produce the same as and when required by the Court.
3.	I.O. shall prepare detailed panchanama before handing over the property and to take photographs of released property for the purpose of identification.
4.	The expenses of photograph shall be borne by the

	applicant.
5.	The I.O. is directed to report the compliance to this Court after releasing the property, as soon as possible.
6.	Copy of order be given to P.S.O., Jafrabad Police Station.

Dt. 16.03.2026

(A.N.Khatade)  
Judicial Magistrate First Class,  
Jafrabad.

**CERTIFICATE**

Affirm that the contents of this PDF file are word to word as per original order.

Dt. 16.03.2026

Sd/-xxx  
(Ahmad Shaikhh)  
Stenographer.