

MHK0010051002022

**ORDER BELOW EXH.178 IN SPECIAL CASE NO.285/2022**

This is an application filed by Rajendra Raosaheb Dhange (accused No.24) for return of his Royal Enfield Meteor 350 (Unit of Eicher) Motorcycle bearing No.MH-09-FX-2600, u/s. 451/457 of Cr.P.C.

2. The applicant is prosecuted for the offences u/s. 420, 406, 409 r/w.34 of IPC and u/s. 3, 4 and 6 of The Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act, 1999(MPID Act). The aforesaid muddemal has been seized during investigation.

3. Heard Shri. S.P.Sangar, the learned advocate for the applicant and Shri. A.A.Peerzade, the learned APP. The prosecution has resisted this application by say on the ground that the muddemal seized in this crime is necessary to be preserved for just decision of the case and to ensure recovery of the amounts invested by the depositors.

4. Considering the nature of offences, section 4 of MPID Act, provides for attachment of properties on default of return of deposits. The seized muddemal is subject for attachment and such muddemal has to be preserved. The application is devoid of merit and is liable to be rejected.

**ORDER**

The application is rejected.

Date: 25/09/2023.

( S.R. Salunkhe )  
Special Judge (MPID),  
Kolhapur.