


MHKO030092412025 	<p style="text-align: center;"><u>Regular Criminal Case No. 840/2025</u> <u>Order passed below Exh.No.10</u></p> <p>State of Maharashtra Vs. Karan Dhondiram Patankar</p>
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The present application is filed u/sec.503 of B.N.S.S. in crime No.16/2025 registered with Laxmipuri police station, for getting seized Hero Splender Plus (13-SELF-DRUM-CST) Motor Vehicle bearing registration No.MH-09-FG-3140 chassis No.MBLHAW08XKHA52056, Engine No.HA10AGKHAJ1408, colour Grey Black, model 2019.

2. Perused the application and documents in support of the same. Ld.APP filed her say at Exh.14 and contended that, the motorcycle is seized in serious offence. If motor vehicle is returned to applicant, the possibility to sale or change the nature of vehicle or use the above motor vehicle for commission of similar type of offence cannot be ruled out, therefore, she prayed to reject this application. I.O. filed his say at Exh.13 and objected the applications on the same ground mentioned by A.PP and prayed for rejection of application.

3. The applicant filed xerox copies of F.I.R. (Exh.12/1), copy of R.C. book(Exh.12/2), vehicle insurance policy (Exh.12/3) and adhar-card (Exh.3/4).

4. The documents filed by applicant show that, the seized motorcycle belongs to him. Soon before the crime, he was the owner and custodian of the same. Chargesheet is filed and trial is going to take its own time. Considering the nature of crime, I do not find it worth to deny the interim custody to the applicant. Again no purpose will be served by keeping the muddemal outside custody of applicant. Therefore, the

applicant has proved his ownership over the seized motorcycle and therefore he is entitled to get interim custody of the same. In view of the Judgment of Hon'ble Supreme Court in *Sundarbhai Desai v/s State of Gujrat*, it is justified to grant interim custody to the applicant in the interest of justice. Hence, following order -

<u>ORDER</u>	
1.	The application at Exh.10 is allowed.
2.	The P.S. Laxmipuri is directed to handover interim custody of Hero Splender Plus (13-SELF-DRUM-CST) Motor Vehicle bearing registration No.MH-09-FG-3140 chassis No.MBLHAW08XKHA52056, Engine No.HA10AGKHAJ1408, colour Grey Black, model 2019 to the applicant Karan Dhondiram Patankar till the conclusion of the trial subject to condition that he shall execute the indemnity bond of Rs.80,000/- (Rupees Eighty Thousand only).
3.	The applicant is directed that, he shall not sell, exchange or make any change in the said motorcycle till conclusion of trial and shall produce it as and when directed by this Court or I.O.
4.	I.O. is directed to prepare detailed panchnama, obtain photographs from front, back and both sides of the said motorcycle in order to have identification of it. The said panchnama shall be submitted before the Court forthwith.
5.	Bond be furnished before Laxmipuri Police Station in CR no.16/2025.

Kolhapur.
Date: 17/03/2026.

(Smt. Pankaj B. Rajput)
Judicial Magistrate First Class,
Court No.11, Kolhapur.