

MHKO070003212026



Criminal M. A. No.37/2026

Shahnavaj Vahab Husen

Vs.

**State of Maharashtra Through Shirol Police
Station**

ORDER BELOW EXHIBIT 1.

(Dated 10/03/2026)

This is an application u/s 503 of The Bharatiya Nagarik Suraksha Sanhita, 2023 for return of seized Suzuki company motorcycle bearing registration no. MH-16-DL-5015, Chesis No.MB8EA112ER8299083 and Engine No.AF217974494 seized in Crime No.10/2026 of Shirol Police Station.

02. The Investigating Officer filed his say and has given no objection to handing over the muddemal to the applicant. The Ld. A.P.P. filed his say and prayed for rejection of the application.

03. The applicant filed online copy of FIR at Exh.3/1, verified copy of registration certificate at Exh.3/2 and verified copy of Aadhar card at Exh.3/3. The Ld. advocate for the applicant stated that, the applicant is an owner of the said vehicle and he requires said vehicle for his business purpose. Said vehicle will be damage if kept at police station for long period. Hence, he prayed for allow the application.

04. After perusal of the say filed by the I.O. and copy of FIR it becomes clear that the said vehicle is seized by the police. Thus, an applicant has prima-facie shown his entitlement over the seized muddemal by filing verified copy of registration certificate. No other claimant has come forward to object the ownership of the applicant over the said vehicle. The possibility of damage to the muddemal can not be ruled out if kept lying at the police station. Applicant undertakes that, he will abide all the conditions imposed by the Court. He proved his identity by filing verified copy of Adhar card. No doubt said muddemal will required for evidence purpose during trial. However, preparing a panchnama and taking a necessary photographs of said muddemal at the time of handing over its interim possession to the applicant and by directing the applicant to produce said muddemal as and when directed, will suffice the said purpose.

05. In given the facts and circumstances, in my candid opinion no prejudice will be caused to the prosecution if interim possession is handed over to the applicant. Hence, I pass following order-

ORDER

- (i) Application is allowed.
- (ii) The interim custody of the Suzuki company motorcycle bearing Registration No. MH-16-DL-5015, Chassis No. MB8EA112ER8299083 and Engine No. AF217974494, seized in Crime No.

10/2026 registered with Shirol Police Station, be handed over to the applicant till the conclusion of the trial, on the applicant executing an indemnity bond in the sum of Rs. 1,10,000/- (Rupees One Lakh and Ten Thousand only).

- (iii) The applicant shall not sell or transfer said vehicle without the prior permission of the Court, nor should he change the nature of said vehicle in any manner till conclusion of trial.
- (iv) The applicant shall produce said vehicle in the Court/Police Station as and when directed.
- (v) Investigating Officer in the said crime shall prepare Panchanama and take necessary photographs of said vehicle, at the costs of applicant. The investigating officer is directed to release the aforesaid muddemal after due verification of its valid insurance.
- (vi) Investigating Officer shall attach said Panchnama, photographs and indemnity bond (Supurtnama) with original case papers of said crime.
- (vii) This order be digitally signed and it shall be uploaded on the e-courts portal through C.I.S.

Date: 10/03/2026.

[M. S. Patil]
Judicial Magistrate First Class
(Court No.2) Jaysingpur