

MHKO070004602026



Criminal M. A. No.44/2026

**Aamir Ajj Nadaf Vs State of Maharashtra
Through Shirol Police Station**

ORDER BELOW EXHIBIT 1.

(Dated 02/04/2026)

01. This is an application u/s 503 of The Bharatiya Nagarik Suraksha Sanhita, 2023 for return of seized TVS motor company Ltd. TVS Rider, bearing registration No.MH-51-E1831, Chasis No.MD625AF95R1N00368 and Engine No.AF9ER1730959 (hereinafter referred to as vehicle) seized in Crime No.10/2026 of Shirol Police Station for offence punishable u/s. 143 (3), 3(5) of the Bharatiya Naya Sanhita, 2023 and Sections 3, 4, 5 and 6 of the Immoral Traffic (Prevention) Act, 1956.

02. The Investigating Officer filed his say at Exh.5 and prayed for necessary order may be passed. The Ld. A.P.P filed her say at Exh.6 and prayed for rejection of the application.

03. The applicant filed photocopy of FIR at Exh.3/1, verified copy of R.C.Book of said vehicle at Exh.3/2 and verified copy of Aadhar card of applicant at Exh.3/3. The Ld. advocate for the applicant stated that, the applicant is real owner of the vehicle and he requires it for his daily use. 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 vehicle by producing the verified copy of R.C.Book. No other claimant has come forward to object the ownership of the applicant over the said vehicle. The possibility of damage to the vehicle 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 vehicle will required for evidence purpose during trial. However, preparing a panchnama and taking a necessary photographs of said vehicle at the time of handing over its interim possession to the applicant and by directing the applicant to produce said vehicle 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 possession of TVS motor company Ltd. TVS Rider, bearing registration No.MH-51-E1831, Chasis No.MD625AF95R1N00368 and Engine No.AF9ER1730959 seized in crime bearing No.10/2026 registered at Shirol Police

Station shall be handed-over to the applicant, till the conclusion of trial, on the applicant executing indemnity bond in total of Rs.1,00,000/- (Rs. One lakh 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 vehicle after due and proper 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) As the application is E-filed, this order shall be digitally signed and uploaded on the e-courts portal through C.I.S.

Date: 02/04/2026.

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