

MHKO070011732026



Cri. M.A. No.94/2026

Dipak Popat Bhore

Vs.

Maharashtra Govt State Excise Ichalkaranji 1

Crime No.188/2026

ORDER BELOW EXH. 1

(Passed on 30/07/2026)

This is an application filed by applicant for release of four wheeler vehicle Maruti Suzuki India Ltd. WAGON R LXI BS III bearing registration No. MH-06-AN-6914 under Section 503 of B.N.S.S.

2. It is the case of the applicant Dipak Popat Bhore, R/o. Danoli road, Kumbhoj, Tal.Hathkangale, Dist.Kolhapur that, he is the owner of four wheeler vehicle Maruti Suzuki India Ltd. WAGON R LXI BS III, Chasis No.MA3EED81S00639468, Engine No.F10DN4463681 and bearing registration No. MH-06-AN-6914.

3. Inspector, Excise office, Ichalkaranji seized the said four wheeler vehicle Maruti Suzuki India Ltd. WAGON R LXI BS III, Chasis No.MA3EED81S00639468, Engine No.F10DN4463681 and bearing registration No. MH-06-AN-6914 in Crime No. 188/2026 from accused for offence punishable under section 65(a) (e) of the Maharashtra Prohibition Act. Applicant is ready to abide conditions imposed by this Court. If the four wheeler vehicle Maruti Suzuki India Ltd. WAGON R LXI BS III, Chasis No. MA3EED81S00639468, Engine No. F10DN4463681 and bearing registration No. MH-06-AN-6914 is not released it will lose its value and road-worthiness. Therefore, the applicant prayed to release the aforesaid four wheeler vehicle Maruti Suzuki India Ltd. WAGON R LXI BS III bearing registration No. MH-06-AN-6914 to him on conditions.

4. Heard learned Advocate Shri. V. V. Patil for the applicant and learned A.P. P. Smt. A. V. More for the State.

5. Investigating officer filed his say and submitted that, the vehicle is seized from accused for the offence punishable under section 65(a) and (e) of the Maharashtra Prohibition Act. He further submitted that, the investigation of this offence is in progress. The vehicle is safely kept in the office. The accused might use the vehicle in another offence. There is possibility of change in the nature of vehicle. Also, there is possibility that accused might sell the vehicle. Hence, prayed to reject the application. Learned A.P.P. for State opposed the application and submitted that, seized vehicle is used by accused in carrying prohibited muddemal and alleged vehicle is part of evidence of prosecution. Hence, she prayed to reject the application. Applicant has filed on record xerox copy of FIR in C.R.No.188/2026, verified copy of registration certificate, verified copy of Aadhar card of applicant, xerox copy of insurance certificate and xerox copy pan card of applicant.

6. Prima facie, on perusal of record it appears that the present applicant is the owner of the aforesaid four wheeler vehicle Maruti Suzuki India Ltd. WAGON R LXI BS III bearing registration No. MH-06-AN-6914. As also if the four wheeler vehicle Maruti Suzuki India Ltd. four wheeler vehicle Maruti Suzuki India Ltd. WAGON R LXI BS III bearing registration No. MH-06-AN-6914 is kept as it is in the police station, then it will expose to the wear and tear of the weather and it will certainly lose its road-worthiness after a certain period. No other person has claimed interim custody. Police has not yet filed charge-sheet. Therefore, it will be just and reasonable to hand over custody of aforesaid four wheeler four wheeler vehicle Maruti Suzuki India Ltd.

WAGON R LXI BS III bearing registration No. MH-06-AN-6914 to the present applicant on conditions. Hence, interim custody of vehicle four wheeler vehicle Maruti Suzuki India Ltd. WAGON R WAGON R LXI BS III bearing registration No. MH-06-AN-6914 can be granted in favour of applicant. Accordingly, I pass the following order.

ORDER

1. Application is allowed.
2. Interim custody of muddemal property i.e. four wheeler vehicle Maruti Suzuki India Ltd. WAGON R LXI BS III, Chasis No.MA3EED81S00639468, Engine No.F10DN4463681 and bearing registration No. MH-06-AN-6914 seized in connection with Crime No. 188/2026 of Inspector Excise department Ichalkaranji be given to the applicant Dipak Popat Bhore, R/o. Danoli road, Kumbhoj, Tal.Hathkangale, Dist.Kolhapur on his executing Indemnity Bond of Rs.2,50,000/- (Rupees Two lakh Fifty Thousand Only).
3. Applicant shall not alienate, transfer or sell the muddemal property in favour of any third person.
4. Applicant shall not make any material changes in the muddemal property which will change its identity.
5. Applicant shall not use the muddemal property for committing similar offence or offence of any other kind.
6. Applicant shall produce the muddemal as and when necessary, at the time of hearing of matter into the Court.
7. Investigating officer to take appropriate photographs and conduct the detail panchnama if not drawn before and file the same along with charge-sheet.
8. Investigating officer to hand over interim custody of the muddemal property to the applicant on execution of the Indemnity Bond in the amount of Rs.2,50,000/- (Rupees Two lakh Fifty Thousand Only).
9. Bond with the above said conditions to be executed before the investigating officer.

10. As the application is E-filed, this order shall be digitally signed and uploaded on the e-courts portal through C.I.S.

Date :- 30/07/2026

(S.S. Mhatarmare)
Judicial Magistrate First Class,
Court No.3, Jaysingpur.
Tal,Shirol, Dist.Kolhapur