


MHKO080005092024 	<u>Order Below Exh. 16 in Sessions</u> <u>Case No.20/2024</u>
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Applicant Sou. Vishakha Vikesh Haravata filed this application as per Section 497 and 503 of the Bhartiya Nagarik Suraksha Sanhita, 2023 (“BNSS” in short), wherein it is stated that, vehicle Honda Company CB Unicorn motorcycle bearing Registration No. MH-48-BC-7208, Engine No.KC31E80135894, Chasis No.ME4KC311KH8135788 (For short ‘The seized motorcycle’) is seized by Gadhinglaj Police Station in Crime No.352/2024 under sections 376, 323, 506 r/w. 34 of the Indian Penal Code, 1860.

02. The applicant is the owner of the seized motorcycle. She was using the motorcycle for her daily work purpose. If the seized motorcycle is kept idle at Police Station, then it will get damage. Hence, the applicant prayed that, interim custody of seized motorcycle be given to her.

03. Ld. A.P.P objected the application by filing say on the application itself on the ground that, the contents mentioned in the application are false. Further, he submitted that, if the Court comes to the conclusion to allow this application, then it be

allowed with necessary conditions after verifying the necessary documents. Accordingly, he opposed the application.

04. The applicant produced Xerox copy of certificate of registration with list (Exh.18). Its perusal shows that, the applicant is the owner of the seized motorcycle. The applicant has further produced Xerox copy of her Aadhaar Card. Thus, it appears that, the applicant is registered owner of the seized motorcycle. No other person having better title than the applicant to the seized motorcycle have claimed it from the Court. Therefore, it will be just and proper to release the seized motorcycle to the interim custody of the applicant. Hence, in the result, I pass following order:-

ORDER

- 1) Application is allowed.
- 2) The vehicle Honda Company CB Unicorn motorcycle bearing Registration No. MH-48-BC-7208, Engine No.KC31E80135894, Chasis No.ME4KC311KH8135788 be handed over to the interim custody of the applicant on her executing indemnity bond of Rs.60,000/- and on following conditions.
 - a) The applicant shall maintain seized motorcycle in good and identifiable condition.

- b) She shall not change nature of the seized motorcycle.
 - c) The applicant shall not alienate or transfer the seized motorcycle.
 - d) The applicant shall produce seized motorcycle before this Court or any other proper forum as and when ordered by this Court.
- 3) Accordingly, issue letter to the concern Police Station.

Place : Gadhinglaj.
Date : 17/12/2024.

(M.A. Shinde)
Addl. Sessions Judge,
Gadhinglaj.