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MHKO140001972026 	<b><u>ORDER BELOW EXH. 01 IN CRI.M.A.</u></b> <b><u>NO.22/2026</u></b> <b><u>Shantinath Chandraprabhu Vasawade</u></b> <b><u>Vs.</u></b> <b><u>Maharashtra State Through The Police Inspector,</u></b> <b><u>Chandgad</u></b>
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The applicant **Shantinath Chandraprabhu Vasawade** vide present application sought return of property Fiat India F/G/PUNTO 1.3 M/J DYNAMIC BSIV four wheeler, bearing Registration No. KA-09-MB-1072, Chassis No.MCA118B5E07046213BKZ and Engine No.0337384 which has been seized by Chandgad Police Station in C.R. No.279/2025.

2. Perused application. Applicant submitted that, he is lawful and registered owner of above mentioned vehicle. The said vehicle is required for applicant for daily use and other activities. If it is kept idle at Police Station, it may rust and damage. He is ready to abide by the all conditions imposed. Hence, prayed for return of said property on certain terms and conditions.
3. Ld. A.P.P. filed her say at the overleaf of the application and objected the application. She submitted that, if vehicle is released then there is possibility of reuse of the said vehicle in similar type of crime. Also, there is a possibility of disposal of the vehicle. Also, applicant will not co-operate with the investigating agency. Therefore she prayed to pass necessary order.
4. No say filed by I.O.

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5. Perused the record and documents filed therewith the copies of documents available on record, such as online print RC Book, FIR copy, united India Insurance company ltd. Insurance and Adhar card of the said vehicle standing name in the name of the applicant is filed on record. It establishes ownership of applicant over the vehicle in question. Therefore, it appears that he is the owner of the said vehicle. It is also true that, if the vehicle is kept idle at the Police Station, it will certainly rust and damage. There is no reason to disbelieve that the applicant needs this vehicle for his day to day use. The ratio laid down in the case of *Sunderbhai Ambalal Desai Vs. State of Gujarat* reported in *AIR 2003 SC 638* will also have to be kept in mind. It is therefore, just, proper and expeditious to return the vehicle to applicant, particularly when he has shown his ownership over the same. At the same time, in order to secure the vehicle easily, if required, and to safeguard the reasonable apprehension raised by Ld. A.P.P and I.O. it is necessary to take some security from applicant and to impose some conditions. In view of above discussion, I proceed to pass following order;

### **ORDER**

1. Application is allowed.
2. The Fiat India F/G/PUNTO 1.3 M/J DYNAMIC BSIV four wheeler, bearing Registration No. KA-09-MB-1072, Chassis No. MCA118B5E07046213BKZ and Engine No. 0337384 in connection with Crime No.279/2025 be returned back to applicant on his executing 'Supurtnama' of Rs.2,00,000/-

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(Rupees Two Lac only) on following conditions -

- a) That the applicant shall not use or permit to use the vehicle for any illegal purpose or in similar kind of offence in any manner likely to reduce its value;
  - b) He shall keep the vehicle in good running condition;
  - c) He shall not, in any way, transfer ownership of the vehicle to any third person;
  - d) He shall produce the vehicle before the Court and shall make it available to the Investigating Officer, as and when required.
3. On executing Supurtnama before Court inform P.S.O. to take colored photographs of the same, taken from different angles clearly displaying registration number and to be attested by applicant at applicant's expenses and to send the same to the Court and to handover custody of aforesaid vehicle to applicant by drawing necessary Panchanama.
4. R. and P. of this application be tagged with the CR. No. 279/2025 which is to be filed in concerned case.

Sd/-

Date : 17/03/2026.  
Chandgad.

(V.S.Agarwal)  
Judicial Magistrate First Class,  
Chandgad.