

	<u>Cri.M.A.35/2026</u> Siddesh Babaso Bhapkar Vs. State Of Maharashtra
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Order below Exh.01

(Passed on 03.07.2026)

1. The current application is submitted by the applicant, **Shri. Siddesh Babaso Bhapkar** requesting the release of a **Two Wheeler Hero Honda Motors Ltd. Splendor Plus Drum** bearing, **Registration No. MH 09 CC 8404, Chassis No MBLHA10EYB9H06775 and Engine No. HA10EFB9H13461** under Supratnama (a bond of indemnity).

2. The Applicant asserts that his vehicle was seized by police in connection with Crime No. 140/2026 involving offences punishable under Sec.189(1), 190, 125(2), 223 of BNS and Sec. 199 A and 184 of Motor Vehicle Act, 1988 and Sec. 135(iii) of Maharashtra Police Act, 1951. The applicant claims to be the owner of the vehicle, which was seized by the police. The applicant submitted that he has purchased the vehicle and he used the vehicle for his personal use. He submitted that he did not commit any crime and he needs that vehicle for agricultural and for family work. He further states that the vehicle is currently parked at the police station, which lacks adequate facilities for safe storage. The applicant further states that the vehicle is not required by the investigating officer, as the investigation is complete. Prolonged

storage at police station will lead to the vehicle becoming damaged and unuseble. The applicant has filed copy of FIR, Copy of RC Book, Copy of Adhar Card, Copy of Insurance details. Hence, the applicant requests that the Court may grant this application.

3. Though gettting sufficient opportunity the IO did not file say. Therefore, I pass no say order against the IO and proceed further with the say of Ld. APP. The Ld. APP representing the state has opposed the application by submitting a reply. The Ld. APP submitted that vehicle was used in the commission of crime. The vehicle in question was utilised by the accused and thus serves as a crucial evidence. Additionally, there is risk that the applicant will not produce the vehicle in Court when required, may alter its identity, or may creat third party interests in the vehicle. Therefore, Ld. APP prayed for rejection of application.

4. Upon reviewing the application and prosecution's reply, and after hearing both parties, it is evident that the vehicle was seized by the police in connection with Crime No. 140/2026. Based on the prosecution's response, it does not appear that the vehicle will be needed for further investigation. The vehicle has been in police custody since it's seizure and keeping it at the police station for an extended period may render it useless and cause damage. The purpose behind exercise of powers under sec. 503 of BNSS is to see that the vehicle is not kept unattended while lying in the police station so that it does not become junk day by day.

5. It appears from the record, that applicant has produced the copy of copy of FIR, Copy of RC Book, Copy of Adhar Card, Copy of Insurance details. It confirms his ownership. Based on reasons discussed, the application warrants to be allowed subject to conditions. The vehicle's interim custody should be granted to the applicant, subject to specific conditions. Hence I pass following order.

Order

01.	The present application is allowed.
02.	The Two Wheeler Hero Honda Motors Ltd. Splendor Plus Drum bearing registration No. MH 09 CC 8404 having Chassis No. MBLHA10EYB9H06775 and Engine No. HA10EFB9H13461 be provisionally released to the applicant on his execution of an indemnity bond of Rs 50,000/- (Rupees Fifty Thousands Only) . The bond is to be given before this Court.
03.	The applicant shall not change the colour of the said vehicle nor make any modification to it to change its identity and appearance.
04.	The applicant shall not transfer, mortgage, sell, or create any third party interest by any mode in the said vehicle till the final disposal of trial.
05.	The P S. O. shall prepare a detailed panchnama of the said vehicle with photographs before releasing the vehicle and produce the panchnama, photographs in this Court.
06.	The applicant shall produce the said vehicle before the Court during the trial, as and when directed.

07.	Inform the Kodoli Police Station accordingly.
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Panhala

Date - 03/07/2026



31/7/26

K. D. KakatkarJudicial Magistrate, First Class,
Panhala.