

**Vishnu Ravsaheb Gaikwad**
Vs.
State of Maharashtra

Through this application the applicant **Vishnu Ravsaheb Gaikwad** is praying custody of seized muddemal i.e. **Bolero Pick-up** bearing registration No. **MH-24-AU-2450** which was seized in Crime No.315/2026 of offence punishable U/s.11(1)(d) of the Prevention of Cruelty to Animals Act, 1960 and U/s. 66(1), 192 of the Motor Vehicle Act, 1988 by Udgir Rural Police Station, Tal. Udgir, Dist. Latur.

2. I have called the say of investigating officer and Ld. A.P.P. The investigating officer has filed his say and prayed to release the vehicle on terms and conditions. The Ld. A.P.P. has also objection to release the vehicle. Indeed, in view of the findings given in the landmark case of ***Sundarabhai Ambala Desai Vs. State of Gujarat AIR 2002 SCW 5301*** where it is directed to the Magistrates that, the vehicle lying at police station having no use there to be released as expeditiously as possible.

3. Resultantly, in view of the supra stated findings, I do not find any reason to detain the vehicle. Further despite the applicant, no one has claimed said vehicle and from the registration of certificate of the vehicle applicant appears to be the owner of said vehicle. If the vehicle remained in the police station, due to its non-use it may get junked and damaged. Hence it would be proper to return it to the owner. Hence, I reckon to pass following order:-

:: O R D E R ::

- 01.** Application is hereby allowed.
- 02.** The interim custody of seized vehicle i.e. **Bolero Pick-up** bearing registration No. **MH-24-AU-2450** which was seized in Crime No.315/2026 of offence punishable U/s.11(1)(d) of the Prevention of Cruelty to Animals Act, 1960 and U/s. 66(1), 192 of the Motor Vehicle Act, 1988 by Udgir Rural Police Station, Tal. Udgir, Dist. Latur be given to the applicant on executing indemnity bond of **4,00,000/- (Four Lakhs Only)**.
- 03.** Applicant shall not alienate or transfer the vehicle till disposal of the case or without permission of the court.
- 04.** Applicant shall not make any substantial change in the appearance or the part of the vehicle nor should change its colour.
- 05.** The applicant to produce the vehicle as and when required for investigation, inquiry or trial.
- 06.** The applicant to file four photographs of the vehicle before moving it away from the police station portraying therein the registration number and model number. Investigating officer to facilitated the photography.
- 07.** Investigating officer shall verify the original documents and prepare detail panchanama before handing over the seized vehicle to the applicant.
- 08.** He shall submit **copy of R.C. Book, valid insurance policy and driving license** of

driver to Police Inspector, Udgir Rural Police Station, Udgir.

- 09.** Information of the order be given to the police station concerned, accordingly.
- 10.** The proceeding be kept in Crime No.315/2026.

Udgir
Date 09/06/2026

(K. A. Yadav)
Judicial Magistrate F.C., Udgir
(Court No.3)