

MHLA140004952026



Cri.M.A.No.26/2026

Pallavi & Ors. Vs. State of
Maharashtra

ORDER BELOW EXH. 01.

This is an application filed by the applicants for return of seized muddemal i.e. TVS ApacheRTR 160 Black Motorcycle Bearing Registration No.MH-25-BE-1382, Chasis No.MD634BE82P2L04269, Engine No.AE8HP2007889 by applicant No.1 and Hero Splendor Plus + Motorcycle Black Bearing Registration No.MH-25-BG-1368, Chasis No.MBLHAW331SHJ54262, Engine No.HA11FBShj54875 by applicant No.2, by State through Police Station AUSA in Crime No.224/2025 for the offence punishable under Section 313, 331(3), 331(4), 305(A) r/w 3(5).

Application in brief is that;

2) State through AUSA Police Station seized the above said vehicles described in the application in Crime No.224/2025 by which the offence was registered under Section 313, 331(3), 331(4), 305(A) r/w 3(5). According to the applicants, they are the registered owners of the said motorcycles, and they were using the said vehicles for personal use. Now, they are in need of the same for daily use. Hence, they have prayed to return the said vehicle and is ready to abide any terms and conditions imposed by the Court.

3) On receiving the application, the say of the learned A.P.P. is called. Learned A.P.P. has objected the application on the ground that, if the custody of the vehicle is handed-over to the applicant, then, there is possibility that they will change the nature or alienate the same or use in

subsequent offence. I.O. has submitted his say (Exh.05) and he is also objected on the ground that, they have no objection to returning the seized property.

4) Heard the learned advocate appearing for the applicant and learned A.P.P appearing for the State. I have gone through the application (Exh.01), affidavit of applicant (Exh.04), copy of FIR (Exh.3/1), copy of R.C. Book (Exh.3/2 and 3/2).

5) Considering the say of learned A.P.P and after being heard his submission on the application and documents on record, prima-facie, it appears that, Pallavi Ajay Shinde is the registered owner of the seized vehicle TVS AppacheRTR Motorcycle and Kavita Sanjippa Shinde is the registered owner of the seized vehicle Hero Splendor Plus + Motorcycle vide registration certificate. However, the applicants have been using the said and it has been seized by the police. The investigation is in progress. Presently, the said vehicles laying on the in the premises of Police Station, and if it is allowed to be laid in the premises of the police station, it's condition will be deteriorating. Since the applicant is the owner, in my opinion, the applicant is entitled to get interim custody of the vehicles, by imposing certain conditions. Hence, I proceed to pass following order;

ORDER

1)	The interim custody of TVS AppacheRTR 160 Black Motorcycle Bearing Registration No.MH-25-BE-1382, Chasis No.MD634BE82P2L04269, Engine No.AE8HP2007889 be given to applicant No.1 and Hero Splendor Plus + Motorcycle Black Bearing Registration No.MH-25-BG-1368, Chasis No.MBLHAW331SHJ54262, Engine No.HA11FBSHJ54875 be given to applicant No.2, on executing indemnity bond of Rs.1,00,000/- (Rupees One Lac Only)
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	each on bond paper of Rs. 200/- (Rupees Two Hundred Only).
2)	The Investigating Officer is further hereby directed to make detail panchanama and snap one photograph of the above-said vehicles and then hand-over it's custody to the applicant.
3)	The applicant shall not change the structure and body of the above-said vehicles till conclusion trial.
4)	The applicant is also directed not to dispose of, sell, transfer the above-said vehicles in any manner till conclusion of the trial.
5)	The applicant is also directed to produce the above-said vehicles as and when required by the I.O. during the investigation and trial.
6)	Copy of this order be kept with police papers in the Court.
7)	Issue notice to the Investigating Officer.

Date : 23/03/2026.
Place : AUSA.

(Shri. Awate P. P.)
Judicial Magistrate First Class, AUSA.