

IN THE COURT OF THE ADDL. CHIEF JUDICIAL MAGISTRATE,
5TH COURT, DADAR (AT SEWREE), MUMBAI.
C. C. NO.1590/M/2026

Rushab Haresh Parmar ... Applicant.

Versus

The State (At the instance of
Shivaji Park Police Station, Mumbai.) ... Respondent.

ORDER BELOW APPLICATION FOR RETURN OF PROPERTY

This is an application filed under Section 503 of the Bhartiya Nyaya Sanhita. Perused the application, gone through the available record. I have heard the Learned Advocate representing applicant and the Learned A. P. P.

2. By way of this application the applicant is seeking temporary custody of Black Colour Suzuki Access 125 Scooter bearing registration No.MH-01-DY-5093, seized by Shivaji Park Police Station, Mumbai, in C. R. No.136/2026 for the offence punishable under Section 303(2) of the Bhartiya Nyaya Sanhita.

3. The say of Investigating Officer and Learned A. P. P. was called. The Learned A. P. P. and the I. O. have submitted that, they have no objection to release the said vehicle on certain conditions.

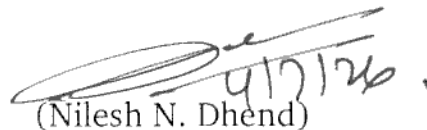
4. This application is supported with affidavit of the applicant. He has filed on record the copy of the F. I. R. He has also filed notarised copies of R. C. Book, driving licence and insurance policy on record. The record shows that applicant is the informant in C. R. No.136/2026 and registered owner of said vehicle. Therefore, certainly being the custodian of the scooter, the applicant is entitled to get possession of the same. Therefore, considering the facts and circumstances, the applicant is entitled to get possession of the same. Therefore, there is no legal impediment to handover the interim custody of the muddemal property


4/5/26.

to the applicant. Hence, I pass the following order : -

ORDER

- i. The application is allowed.
- ii. The interim custody of seized vehicle i.e. Black Colour Suzuki Access 125 Scooter bearing registration No.MH-01-DY-5093, seized by Shivaji Park Police Station, Mumbai, in C. R. No.136/2026, be given to the applicant Rushab Haresh Parmar upon executing his indemnity bond of Rs.10,000/- (Rs. Ten Thousand) with further condition that,
 - (a) He shall not sale, transfer the said vehicle or shall not create third party interest on the said vehicle without prior permission of the court,
 - (b) He shall not change colour and nature of the said scooter,
 - (c) He shall produce said scooter as and when directed by the court,
 - (d) He shall produce two colour photographs of the said scooter, out of which one shall be from the front side and one shall be from rear side.
- iii. The Investigating Officer is directed to submit all the relevant papers of the seized scooter along with the report of C. R. No.136/2026 and he shall mention in it about the return of muddemal property to the applicant.
- iv. Issue letter to the concerned police station accordingly.


(Nilesh N. Dhend)

Date : 04/07/2026.

Judicial Magistrate, First Class,
62nd Court, I/c. 5th Court, Dadar, Mumbai.