

IN THE COURT OF JUDICIAL MAGISTRATE (FIRST CLASS),
32ND COURT, BANDRA, MUMBAI.

Notice No. 381/N/2026.
C.R. No. 110/2026.
Excise FS-I Division, Mumbai.
MHMM18-003970-2026

Vivek Shravan Gharat

... Applicant

V/s.

**Sr. Inspector of Police,
(Excise FS-I Division)**

...Respondent.

ORDER BELOW EXH-1

This application is filed by the applicant namely **Vivek Shravan Gharat** for release of Four Wheeler Motor Car bearing registration No. MH-04-DR-8719 which is seized by the Excise FS-I Division in connection with Crime No. 110/2026 registered with the said Excise Division for the offence punishable under section 65(E) Maharashtra Prohibition Act.

2) IO and APP filed their say. They both objected and submitted that the alleged vehicle use for transporting the liquor. Hence, there is possibility to commit such type of offence. As such, they both prayed for rejection.

3) In support of his contention regarding ownership, applicant has filed on record verified copies of vehicle particulars, Aadhar card and xerox copy of insurance alongwith his affidavit.

4) In the matter of ***Sunderbhai Ambalal Desai V/s. State of Gujrath, AIR 2003, SC 638*** the Hon'ble Supreme Court has laid down certain guidelines as to the property which is seized by the police during the investigation, which is to be disposed of as early as possible. As per

this ratio, said vehicle is returned to the applicant. Though said vehicle is seized from accused, at this juncture no one except the applicant has vehicle shown better title to the seized property. Under such circumstances, pass following order :-

:- ORDER :-

- 1] Application is allowed.
- 2] The seized muddemal property i.e. Mahindra & Mahindra Scorpio Car bearing registration No. MH-04-DR-8719 be handed over to applicant on executing indemnity bond of Rs.20,00,000/- (In words rupees Twenty Lakhs only), in the police station.
- 3] The applicant should undertake that he shall not transfer, pledge or any other way alienate the said muddemal till the final disposal of the Crime No. 110/2026.
- 4] The applicant is also directed to produce the said muddemal property as and when ordered to do so.
- 5] The I.O. is directed to draw the proper panchanama and take out two photographs of the muddemal property in order to establish the identity for identification and evidence.
- 6] The applicant is also directed to produce his address proof.
- 7] Said application is to be affixed with Crime No. 110/2026.

Date : 10.08.2026
ssl.

(S.S. Parkhi)
Judicial Magistrate (First Class),
32nd Court, Bandra, Mumbai.