

MHND010027422021



Order below Exh.7

1- Perused the application and say of learned APP below it.. Heard both the sides. I have also gone through the documents filed with the application.

2- It is the contention of the applicant that vehicle motorcycle Achiever Cast bearing registration No. MH-26-AZ-9713 was seized by police station, Mudkhed, in Crime No. 123/2021 is owned by him. He wants the custody of same. The vehicle likely to be damaged if it kept in police station unattended. Hence, it may be released on supratnama in his favour. However, the learned A.P.P. submits that the vehicle seized is used in crime and it is the prime evidence. There is possibility of changing the nature of said vehicle. Hence, the application may be rejected.

3- After verifying the documents filed on record by the applicant particularly the document of registration of vehicle, it is apparent that, the applicant is the registered owner of the motorcycle Achiever Cast. Apart from him, no one claim the custody of said vehicle. No purpose would be served by keeping the said vehicle in the police station, as it become junk by passage of time due to lack of maintenance. Hence, I pass the following order.

ORDER

1. The application is hereby allowed.
2. The vehicle motorcycle Achiever Cast bearing registration No. MH-26-AZ-9713 was seized by police station, Mudkhed in Crime No. 123/2021 is hereby released on supratnama in favour of Shankar Piraji Rapatwar, on executing indemnity bond of Rs.80,000/- subject to conditions that
 - i] He shall produced the said vehicle in the court as and when required.
 - ii] He shall maintain the said vehicle in same condition, as it stand today.
 - iii] He shall not transfer or dispose of the said vehicle in any manner till the decision of the criminal case.
 - iv] He shall submit the documents of said vehicle including registration and insurance with police station, Mudkhed.
3. The concerned investigation officer of police station, Mudkhed is directed to take photographs of the said vehicle and submit the same with detailed panchnama about it in court before releasing the said vehicle on supratnama.

Date: 26-02-2022

(K.N.Gautam)
Additional Sessions Judge-1,
Nanded.

CERTIFICATE

I affirm that the contents of this P.D.F. file order are same word to word, as per the original order.

Name of the Stenographer : Mrs. A.S.Khire.
(Grade-I.)

Court Name : Court of Addl. Sessions Judge-1,
Nanded.

Date of order :26-02-2022

Order signed by
the Presiding Officer on : 26-02-2022

Order uploaded on :26-02-2022