

MHND130005902026 	OMCA No. 58/2026 Sayyad Nasir Sayyad Hamja Through Kerba Maroti Shirgire Vs State
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ORDER PASSED BELOW EXH. 1

(Passed on 10 June, 2026)

This is an application is preferred under the provisions of Section 503 of The Bhartiya Nagarik Suraksha Sanhita, 2023, for custody of the seized vehicle.

02. Perused the application and documents filed along with it i.e verified copy of Adhar Card of applicant, verified copy of certificate of registration, copy of insurance of seized vehicle, verified copy of contract for sale dated 20/02/2024 of the seized vehicle and certified copy of FIR. Perused say filed by I.O. and Ld. APP. Heard Ld. Adv. for applicant and Ld. APP and I.O.

03. Following are some important details necessary for determination of this application:-

Applicant	Sayyad Nasir Sayyad Hamja Through Kerba Maroti Shirgire
R/o	R/o. Rajwadi, Tq. Hadgaon, Dist. Nanded.
Vehicle	Trax Cruiser Classic
Registration Number	MH-26-V-1936
Chassis Number	MC1D4DFA79P001109
Engine Number	D27032971
Crime Number	281/2026
Offence Punishable	Under Section 106(1), 281, 125(a)(b) of B.N.S., 2023.

04. It is the case of the applicant that, he has purchased the

seized vehicle from Sayyad Nasir Sayyad Hamja vide sale agreement dated 20/02/2024. Therefore, he is the owner of the seized vehicle. However, the certificate of registration and other documents of vehicle are still in the name of the said Sayyad Nasir. The custody of the seized vehicle is very necessary for him. If custody of vehicle is not given to him, he will suffer loss and damages. He is ready to abide the conditions imposed by the Court upon him.

05. The learned A.P.P. filed his say and submitted that seized Muddemal property is essential part of evidence which is needed by prosecution at the time of evidence. Lastly, prayed for rejection of the application.

06. I.O. filed his say and submitted that RTO examination of the seized vehicle is done. He submitted to the order of this Court.

07. From the record it prima-facie appears that the applicant is the owner of the seized vehicle. Moreover, the seizure of seized vehicle from the custody of accused is admitted by respondent.

08. In the case of ***Sundarbhai Ambalal Desai -vs- State of Gujarat AIR 2003 SC 638***, the Hon'ble Apex Court held that “*whatever be the situation. It is of no use to keep such seized vehicle at the police station for a long period. It is for Magistrate to pass appropriate order immediately by taking appropriate bond and guarantee as well as security for return of the said vehicle, if required at any point of time.*”

09. The seized vehicle is in the custody of the Police from long time. The possibility of causing damage to the seized vehicle cannot be ruled out as the same is lying idle in the Police Station. Moreover, it can be prima-facie seen from the documents on record that the applicant has purchased the seized vehicle from Sayyad Nasir Sayyad Hamja vide sale agreement dated 20/02/2024 and accordingly is the owner of the seized vehicle. Moreover, the seized vehicle is insured and RTO examination of

seized vehicle is also done. Therefore, it is not just and proper to detain the said vehicle.

10. There is no other claimant over the seized Vehicle till today. It prima-facie seems that the applicant is the owner of the seized vehicle. No fruitful purpose would be served by detaining the seized vehicle. Objection of the learned APP and I.O. can be considered by putting conditions.

11. Thus from the above facts and circumstances, I am of the view that the applicant is entitled for interim custody of the vehicle. Therefore, I pass following order.

ORDER

1.	Application is allowed.
2.	The Police Inspector, Police Station, Bhokar. is hereby directed to hand over the custody of seized vehicle i.e. Trax Cruiser Classic bearing registration No. MH-26-V-1936, Chassis No. MC1D4D-FA79P001109 and Engine No. D27032971, only in favor of the applicant namely Sayyad Nasir Sayyad Hamja Through Kerba Maroti Shirgire, on executing Supurtnama of Rs.5,70,000/- (Rupees Five Lakh Seventy Thousand Only).
3.	I.O. is directed to prepare the detailed panchanama of the vehicle and take the photographs of the seized vehicle from all four sides before releasing the said vehicle. The applicant to bear the expenses of photographs. The photographs shall be filed to this Court along with report of police.
4.	The applicant shall also forthwith submit all the relevant documents of the seized vehicle with I.O.
5.	The applicant is directed not to sell, alienate, transfer or create any type of third party interest in the vehicle till further orders.
6.	The applicant shall not change the nature and colour of the said vehicle.
7.	The applicant shall not use the vehicle in commission of any offences.
8.	The applicant shall produce the seized vehicle as and when re-

	quired by the Court or by the I.O.
9.	The applicant shall update all documents of the seized vehicle.
10.	Supurtnama (Bond) shall be executed before the I.O.
11.	The original Supurtnama and true copy of this order be kept with crime papers of the present crime and be tagged with the charge-sheet.

Place - Bhokar

Date : 10/06/2026

(Ravi Shivajirao Irle)
Judicial Magistrate First Class,
Bhokar.

CERTIFICATE

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

Name of the Stenographer : S. T. Narwade
Court Name : J.M.F.C. Bhokar.
Date : 10/06/2026
Order signed by the
Presiding Officer on : 10/06/2026
Order uploaded on : 10/06/2026

IN THE COURT OF JUDICIAL MAGISTRATE FIRST CLASS, AT BHOKAR. EXTRACT COPY OF ORDER IN OMCA NO. 58/2026 SAYYAD NASIR THR. KERBA vs. STATE ORDER BELOW EXH.1 PASSED ON 10.06.2026.

ORDER

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2.	The Police Inspector, Police Station, Bhokar. is hereby directed to hand over the custody of seized vehicle i.e. Trax Cruiser Classic bearing registration No. MH-26-V-1936, Chassis No. MC1D4DFA79P001109 and Engine No. D27032971, only in favor of the applicant namely Sayyad Nasir Sayyad Hamja Through Kerba Maroti Shirgire, on executing Supurtnama of Rs.5,70,000/- (Rupees Five Lakh Seventy Thousand Only).
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Place - Bhokar
Date : 10/06/2026

Sd/-
(Ravi Shivajirao Irle)
Judicial Magistrate First Class,
Bhokar.

Copy forwarded to Police Station Bhokar.
For information and necessary action.

By Order

Asstt. Supdt.
Jt.CJJD and JMFC, Bhokar