

CNR No.MHND270005182026**ORDER BELOW EXHIBIT-1**
(PASSED ON 25/06/2026)

- Heard
- Perused

Applicants- Yogesh Devidas Jadhav has filed present application to return his Motor Cycle bearing **Reg.No.MH-26-BY-4252** (Hero Splendor Plus Motorcycle), **Engine No.HA11EVM5D59793**, **Chassis No.MBLHAW113M5E00088**, seized by State Excise Department Flying Squad, Bhokar Office at Nanded Tq. Dist Nanded, in its Cri. No.75/2026, for the offence under Section 65(e) of Bombay Prohibition Act.

02. It is contended by the applicant that, he is the registered owner and possessor of above mentioned vehicle, of which he has filed on record Certificate of Registration of the said vehicle vide **Exh-5/2**, showing his ownership and further contended that, it was seized during investigation of Crime No.75/2026. Applicant prays being in need of said vehicle for his day to day work he is ready to abide any of the conditions, which will be imposed by the Court for releasing the vehicle on Suprutnama/Bond. Hence, he has filed the present application to release the vehicle.

03. Say of Investigation Officer and learned A.P.P called

and they submitted that, if the vehicle is released the applicant would create third party interest. Hence, prayed to reject the application.

04. On the record , Copy of F.I.R. No.75/2026 of State Excise Department Flying Squid, Bhokar Office at Nanded Tq. Dist Nanded along with the documents i.e. the Certificate of Registration of Vehicle bearing No **MH-26-BY-4252**, he has filed on record the verified copy of receipt of purchase of said vehicle which is in the name of applicant, Aadhar Card vide **Exh.5/2**. Therefore, from the guidelines of Hon'ble Supreme Court, in the case of **Sundarbhai Ambalal Desai V/s State of Gujrat (AIR 2003 SC 638)**, wherein it was held that, by keeping the vehicle in police station till the decision of the case i.e. for uncertain period, no purpose will be served. Therefore, it would be proper to return the seized vehicle to the applicant by imposing certain conditions and proceed to pass following order:

ORDER

01. The application is allowed.

02. The Vehicle bearing **Reg.No.MH-26-BY-4252** (Hero Splendor+Motorcycle), **Engine No.HA11EVM5D59793**, **Chassis No.MBLHAW113M5E00088**, seized by State Excise Department Flying Squid, Bhokar Office at Nanded Tq. Dist Nanded, in its Cri. No.75/2026, for the offence under Section 65(e) of Bombay Prohibition Act, be handed over to the applicant- Yogesh Devidas Jadhav, on executing Suprutnama/Bond for Rs.99,000/- (Rs.

Ninety Seven Thousand Only), till the final decision of the Case.

03. Applicant is directed to produce the seized vehicle as and when ordered by the Court and not to change its nature, alienate, gift, transfer, hypothecate them or not to change their identity, as well as is directed to produce photo copy of Registration Certificate and Insurance Policy of the seized vehicle and other documents, called before Investigating Officer.

04. Investigating Officer is directed to take photographs of the seized vehicle by preparing detailed Panchnama and to submit the same before the Court.

05. Suprutnama/Bond be executed by the applicant before the State Excise Department Flying Squad, Bhokar Office at Nanded Tq. Dist Nanded.

06. Copy of this order, be sent to the State Excise Department Flying Squad, Bhokar Office at Nanded Tq. Dist Nanded, Hamdast allowed, if required.

Date :25/06/2026.
Mudkhed.

Sd/-
(**Smt. Sheetal. P. Koul**)
Judicial Magistrate, First Class,
Mudkhed.

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 : Swati Pawar

Court Name : CJJD, Mudkhed

Date : 25/06/2026

Judgment signed by the

Presiding Officer on : 25/06/2026

Judgment Uploaded on : 25/06/2026