



**In the Court of Judge, Special Court NDPS Act,
Nagpur.**

Presided over by
Shri M. S. Ganorkar.

Special Case No. No. 566 of 2025.

CNR No: MHNG010096552025.

Crime No.285 of 2025, P.S. New Kamptee.

State of Maharashtra.
(Through P.S.New Kamptee.)
V/s
Tariq Parvez & ors.

Applicant- Mohammad Bilal S/o Mohd. Hanif Nagani.

ORDER Below Exh.79

(Passed on this 18th December 2025)

1. This is an application for releasing the vehicle Two Wheeler Suzuki bearing registration No.MH-40-DA-7456 as an interim custody under Section 503 of the Bhartiya Nagarik Suraksha Sanhita.
2. Heard learned Advocate for Applicant and Learned A.P.P. Perused record.
3. In the light of this facts emerged, submissions by Applicant and material on record, following points arise for determination before this Court. The said points and findings thereon which follow reasons as:

Point For Determination.

Sr. No.	Point	Finding
1.	Whether the Applicant made out case as to release mobile handset and vehicle, as a interim custody in Application given set of facts?	...No.
2.	What order?	...Application rejected as per final order.

REASONS***As to Applicant point no.1:***

4. Applicant filed instant application for custody of the vehicle Two Wheeler Suzuki bearing registration No.MH-40-DA-7456 seized by police in the crime which case is pending for the offence punishable under Section 8(c), 22(b) and 29 of N.D.P.S. Act vide Crime No.285/2025, registered at Police Station New Kamptee, Nagpur. Applicant-accused owner of the vehicle and it is necessary for him day to day use. It is submitted that the applicant-accused is absolute owner of the vehicle had no more concerned with the seizure of any contraband. Applicant is ready to abide by all conditions and produce said vehicle, if interim custody is allowed. Applicant has filed on record related documents of vehicle, which shows that Applicant is owner of aforesaid vehicle. Keeping aforesaid seized vehicle unused in police station, will deteriorate its condition. Hence, prayed to release seized vehicle.
5. Learned APP opposed application and submitted that a serious offence has been committed by Applicant and vehicle is material piece of evidence and aforesaid vehicle has been seized from accused and if released on bond, it will be again used for similar offence and Therefore, application be rejected.

6. Undoubtedly, accused are facing prosecution for aforesaid offence and vehicle came to be seized from the accused persons during course of investigation. It appears that vehicle used by Accused is important material piece of evidence on record, it cannot be handed over on interim custody to the applicant. As per Section 60(2) of the NDPS Act, Liability of illicit drugs, substances, plants, articles and conveyances to confiscation, any narcotic drug or psychotropic substance lawfully produced, imported inter-State, imported into India, transported, manufactured, possessed, used, purchased or sold along-with, or in addition to, any narcotic drug or psychotropic substance which is liable to confiscation under sub-section (1) and there receptacles, packages and coverings in which any narcotic drug or psychotropic substance, materials apparatus or utensils liable to confiscation under sub-section (1) is found, and the other contents, if any, or such receptacles or packages shall likewise be liable to confiscation. Therefore, I pass Applicant following order :-

ORDER

1. Application (Exh.79) is hereby rejected.

Dictated and pronounced in open Court.

Nagpur

Dated : 18th December 2025.

(Manish S. Ganorkar)

Judge Special Court (N.D.P.S.Court)
Nagpur