

MHNG090046352025



ORDER BELOW EXH. 1 IN Cri. M.A.
No.362/2025
(Anas Idarisi Said Ahmad Idarisi Vs. The State of
Maharashtra)

This is an application filed under Section 503 of BNSS by applicant **Anas Idarisi Said Ahmad Idarisi** seeking interim custody of vehicle i.e. Trolley bearing registration No.MH-40-CA-2131, Engine No.NA000 and Chasis No.JSAI2027 (In short 'the vehicle') seized in Crime No.695/2025 registered at Police Station, Khaparkheda.

2. In short, the applicant contended that, he is the second owner of above mentioned vehicle. However, police has seized his vehicle in Crime No. 695/2025 registered at Police Station, Khaparkheda. He further contended that, he is ready to furnish indemnity bond and abide with each and every condition imposed by the Court.

3. Investigating Officer has filed his say wherein he opposed to release the above said vehicle submitting that the vehicle may again used for commission of crime. Learned A.P.P. has also resisted present application submitting the similar reasons.

4. Heard Ld. Adv. for the applicant and Ld. APP for the State. The applicant has filed on record copy of registration certificate of vehicle, copy of insurance certificate, copy of FIR and copy of Adhaar card of applicant. On perusal of documents filed on record by the applicant prima facie it seems that, the seized vehicle is registered on the name of applicant. The I.O. asserted the fact of seizer of the said vehicle. In his say, the I.O. submitted that, the said vehicle is in custody of Police Station Khaparkheda. Even though the offence punishable under Section 303(2), 49 of BNS, 2023, Section 48(8)(7) of the Maharashtra Land Revenue Code, 1966, Section 4/21 of Mines and Minerals Act, 1957 and Section 3 of Prevention of Damage to Public Property Act leveled against the accused, till now, no such information of initiation of confiscation procedure by the Tahsildar is provided in this case. Hence, there is no use of keeping the vehicle standing idle at police station. Trial will take its time.

Meanwhile, damage to the vehicle cannot be denied. Thus, there is no hurdle to handover temporarily the vehicle at present to the registered owner i.e. the applicant. Hence, it would be just and proper to grant interim custody of the seized vehicle to the applicant by imposing certain conditions as follows:-

:: ORDER ::

1. Application vide Exh.1 is allowed.
2. Investigation officer of **Crime No.695/20255** registered at Police Station, Khaparkheda is hereby directed to handover the interim custody of vehicle **Trolley bearing registration No.MH-40-CA-2131, Engine No.NA000 and Chasis No.JSAI2027** on execution of indemnity bond (Suprutnama) of Rs.2,00,000/- (Rupees Two Lakhs only) to applicant namely **Anas Idarisi Said Ahmad Idarisi** on following conditions.
3. Applicant is hereby directed to produce the aforesaid vehicle before the Court as and when required.
4. Applicant is hereby directed not to make any alteration in the said vehicle till the disposal of Crime No.**695/2025** or till the conclusion of trial.
6. Applicant is directed not to use the vehicle in any activity which are offensive and prohibited by law.
7. Applicant is hereby directed not to dispose off the said vehicle to anybody in any way till the disposal of crime No. **695/2025** or till the conclusion of trial.
8. The investigation officer is directed to take the photographs of said vehicle before handing over to applicant.
9. Investigation officer is directed to submit indemnity bond and snapped photographs (Supurtnama) before the court along with the final report.
10. **This order will not prejudice the action of confiscation or other action as per law taken or to be taken by the Tahsildar or any other authority, if any.**

(Dictated and pronounced in the Open Court.)

Place : Saoner.
Date :27.03.2026

(Smt. N.V. Ranveer)
2nd Jt. C.J.J.D. and J.M.F.C.,Saoner.

The copy forwarded to the PSO P.S. Khaperkheda for information and necessary compliance as per order.

::4:: Order Below Exh.1 in Cri.M.A.No.362/2025.