

MHNG150000212024

R.C.C. 03/2024
State Vs. Roshan**ORDER BELOW EXHIBIT NO.6**

- 1] This application is filed by the applicant, **Furkanuddin Khan Najiruddin Khan** seeking custody of Excavator (JCB Machine) vehicle bearing registration No. MH-36-L-7403, which was seized in connection with C.R. No. 501/2023 registered at the M.I.D.C. Police Station.
- 2] Perused the application and say filed by learned APP.
- 3] The applicant claims ownership of the aforementioned seized vehicle and states that the police seized it in C.R. No. 501/2023. He submits that since the hearing of the case may take considerable time, he, as the lawful owner, is entitled to its custody. He further expresses his willingness to comply with any terms and conditions imposed by the court.
- 4] The Learned A.P.P. has filed reply and prayed to pass the suitable order.
- 5] The say of informant Mr. Gopal Mhaske and Mr. Shrinivas Reddy in whose possession the JCB machine were called. They both appeared and filed their no objection vide Exh. 10 and 11. Further, upon considering the submissions and documents on record, it appears prima facie that the applicant is the rightful owner of the seized Excavator (JCB Machine) vehicle bearing registration No. MH-36-L-7403 and is prepared to abide by the court's conditions. In support of his claim, the applicant has submitted relevant documents, including verified copies of Registration Certificate of Vehicle. Furthermore, his Aadhar card confirms that he is a permanent resident of Bhandara.

6] In light of the above, I find no justifiable purpose in retaining the seized vehicle at the police station. Since no other individual has claimed possession of this vehicle, it would be just and proper to grant interim custody to the applicant. In the result I passed the following order.

ORDER

- a] The application is allowed.
- b] The seized vehicle Excavator (JCB Machine) bearing registration No. MH-36-L-7403 in C.R. No. 501/2023 registered with M.I.D.C. police station be handed over to the applicant **Furkanuddin Khan Najiruddin Khan** till the conclusion of the trial on his executing indemnity bond of Rs.5,00,000/- [Rs. Five Lakhs only].
- c] The applicant to undertake that he shall not sell or transfer the above mentioned vehicle without the prior permission of the court. The applicant to maintain and preserve it in all respects.
- d] The applicant shall produce the said vehicle in the court as and when directed.
- e] Investigating Officer is hereby directed to prepare the panchanama of the said vehicle and take its photographs of the vehicle if not done earlier.

[V. I. Shaikh]

Judicial Magistrate F.C. Hingna.

Date : 27.04.2026