

MHNG180002382026



ORDER BELOW EXH. 01

(Passed on 22nd April, 2026)

The present application is filed by applicant u/s 503 of Bhartiya Nagrik Suraksha Sanhita for releasing the **vehicle Splendor bearing registration No. MH-49/BT-5467, Chasis No. MBLHAW120MSL16333, Engine No. HA11EDM5L58438** on supratnama.

2] Perused the application and the documents filed along with it and say filed by Ld. APP and Investigating Officer.

3] The learned advocate for applicant submitted that applicant is legal and registered owner of said vehicle which was seized by Police Station Kalmeshwar vide Crime No. 790/2025, u/s 8(c),21(a),21(b),29 of NDPS Act. The said vehicle is presently in their custody. The applicant further submitted that, he is the owner of the said property and he is having all relevant documents about the ownership of said vehicle and therefore he is entitled for the supratnama of above said vehicle.

4] Ld. APP filed his say on overleaf of application and strongly opposed the application on a ground that, if above seized property are released on supratnama then applicant may change the nature and disposed of the same.

5] Investigating officer filed his say at Exh.04 and submitted that applicant may use said vehicle in committing crime. Applicant knows

accused hence, there are chances that applicant may use said vehicle in another crime. Hence, application be rejected.

6] Perused the record. The record shows that the above mentioned **vehicle Splendor bearing registration No. MH-49/BT-5467, Chasis No. MBLHAW120MSL16333, Engine No. HA11EDM5L58438** has been seized after filing of FIR. The applicant is not accused in the present crime.

7] The applicant in support of his contention has filed documents on record along with list of documents Exh.3 i.e. copy of R.C.book, copy of insurance, copy of Aadhar Card of applicant and copy of F.I.R. From the perusal of above documents, it prima facie shows that, the applicant appears to be the possessor of the said property.

8] Considering the nature and gravity of offence, no purpose would be served in keeping the seized property i.e. **vehicle Splendor bearing registration No. MH-49/BT-5467, Chasis No. MBLHAW120MSL16333, Engine No. HA11EDM5L58438** lying in the Police Station Kalmeshwar. The seized vehicle is two wheeler and trial may take its own time. Moreover, seized property can be called as and when required by Court. At this juncture, the possibility of the damage to property can not be ruled out if said property kept lying at Police Station Kalmeshwar. In the present crime, nobody except the applicant came before the court to claim in respect of the seized property. So far as objection raised by learned APP is concerned, it is just to impose conditions, which will suffice the purpose. In view of the directions of the Hon'ble Supreme Court in the judgment of *Sunderbhai Ambalal Desai v.*

State of Gujrat (A.I.R. 2003 Supreme Court 638) and the aforesaid reasons, I am of the opinion that the seized vehicle be returned to the applicant by imposing following conditions. Hence, the following order :

ORDER

1. The application is allowed.
2. The seized vehicle i.e. **vehicle Splendor bearing registration No. MH-49/BT-5467, Chasis No. MBLHAW120MSL16333, Engine No. HA11EDM5L58438** be handed over to the applicant **Manoj Jagjiwan Purohit** till the conclusion of the trial on executing indemnity bond of **Rs.70,000/-** (Rupees Seventy Thousand only) for properties on following terms and conditions :-
 - a. The applicant shall not sale or create third party interest in the said property till final disposal of the case.
 - b. The applicant shall not change nature of property till final disposal of the case.
 - c. The applicant shall produce said property before the Court in any matter arising out of above said crime, as and when directed.
 - d. The applicant hereby strictly restricted from using the said property for any offenses or illegal purpose.
3. **The Investigating officer is hereby directed to -**
 - a. Take photographs of said property through all angles and prepare detail panchnama of said property which shall be countersigned by the applicant.
 - b. The Investigating officer is directed to file photographs and panchnama in the Court along with chargesheet.
 - c. The Concern Clerk is directed to attach Indemnity Bond papers along with charge sheet of Crime No.790/2025.

Sd/-

(Saurabh B. Mandwe)

Judicial Magistrate First Class,
Kalmeshwar.

Date : 22.04.2026

CERTIFICATE

I affirm that the contents of the this PDF file order are same word to word, as per the original order.

Name of the stenographer - J.J.Kadu(L.G.)