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| MHNS180001952026<br> | <b><u>ORDER BELOW EXH. 1 IN OMA NO.<br/>11/2026<br/>Lankesh Bagul Vs State of Mah.<br/>through Police Station Deola</u></b> |
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**ORDER BELOW EXH. 1.**

This is an application filed by applicant for releasing Tractor of Mahindra and Mahindra Swaraj 744-XT Company bearing registration No.MH-41/BH-0640 and Rotavetor of Shaktiman Company, which seized in crime No.13/2026 by Police Station Deola. Learned APP and investigating officer file their say on the application.

2- Heard. Perused say of A.P.P. & Investigating Officer. They have no objections and prayed to hand-over the vehicle to applicant by imposing certain terms and conditions.

3- Heard and perused application and say thereon. Learned counsel for the applicant submitted that, the applicant is a owner of Tractor of Mahindra and Mahindra Swaraj 744-XT Company bearing registration No.MH-41/BH-0640 and Rotavetor of Shaktiman Company, which seized in crime No.13/2026. Deola Police has seized Tractor and Rotavetor of Shaktiman Company in connection with the crime No.13/2026 for offence punishable under sections 303(2) of BNS. Now, it's lying at the police station, Abhona. Therefore, he filed this application. He is ready to undertake that, he will not change the nature of the Tractor and Trolley and ready to produce it, in the Court as and when required.

4- Applicant has filed verified copies i.e. R.C. book, copy of Insurance & his Aadhar Card. It reveals from these documents that,

applicant is the owner of the seized vehicle and Rotavetor. Considering guidelines of the Hon'ble Apex court held in **Sunderbai Ambalal Desai Vs State of Gujrat, reported in AIR 2003 SC 638**, no legal purpose will be served by keeping the seized vehicles in the police station. Also, seized vehicles will be decay, if not released on supurtanama. Hence, I proceed to pass the following order.

### **ORDER**

1. Application is hereby allowed.
2. Tractor of Mahindra and Mahindra Swaraj 744 XT Company bearing registration No.MH-41/BH-0640 and Rotavetor of Shaktiman Company, be handed over to the applicant **Lankesh Sitaram Bagul** till the conclusion of the trial on executing indemnity bond of Rs. 4,50,000/- (Four lakhs Fifty Thousand only).
3. I.O. is hereby directed to take photographs of the vehicle and to prepare panchanama, before releasing it.
4. Applicant shall maintain and preserve the vehicle and Rotavetor in all respect.
5. The applicant shall not sell, not to create third party interest or not to change the nature of vehicle till the final disposal of the case and to produce it as and when directed by the Court as well as required by investigating officer in writing.
6. Concern clerk of this Court is hereby directed to keep this order along with charge-sheet.

Date: 20.03.2026.

[ M. V. Jawale ]  
Judicial Magistrate F. C.,  
Kalwan.