

CNR No.- MHNS-2000-0342-2026

Order below Exh.4
(Salman Harun Maniyar Vs. State of Maharashtra)

This is an application filed under section 503 of B.N.S.S.

2. The applicant contended that, he is the owner of Four wheeler of **Toyoto Innova** of bearing No. **MH-38/J-0099**, Chassis No. **MBJ11JV40070929540707**, Engine No. **2KD9913282**. The said vehicle has been seized by the Wavi Police Station, Sinnar in Cr. No. 12/2026.

3. The applicant further submitted that he is in need of aforesaid vehicle for his domestic daily use. If the said vehicle is kept idle with the police station without use, it may cause rusting of parts of the vehicle and may cause monetary loss of applicant. Due to the seizure of the vehicle the applicant is unable to utilize the vehicle. He is anxious about the damage to the tyres and spare parts of the vehicle. The applicant submitted that the vehicle was originally owned by Aslam Subhanmiya Patel sold to applicant. But, yet the R.C. book is not transferred in the name of applicant. The original owner filed his affidavit and submitted no objection to hand over the custody of vehicle to the applicant. He showed ready and willingness to

remain abide by all the conditions imposed by the Court at the time of releasing the vehicle.

4. The notice was issued to the A.P.P. for filing his say and raising objections if any. Ld. A.P.P. submitted that the application is false and illegal. The investigation is though completed but the muddemal is part and parcel of evidence. If, vehicle is released then it might be tampered and will not be produced as and when required before the Court and he prayed for rejection.

5. Heard both sides and gone through the affidavit and documents. The applicant has filed verified copy of RC book of vehicle, copy of sale agreement, insurance receipt and affidavit of original owner and his Aadhar card. These documents shows that he is owner of seized vehicle. Hence, there is no doubt with respect to ownership of aforesaid vehicle. No-one other than applicant has applied for the custody of seized vehicle. Hence, it is desirable to grant interim custody of seized vehicle with applicant.

6. Hon'ble Supreme Court in case of **Sunderbhai Ambala Desai V/s. State of Gujrat, reported in A.I.R., 2003, S.C.638**, has held that as there is no reason for keeping the vehicle in police station without use, it must be released and given in the interim custody of proper person. Considering the fact of ownership, the application deserved

to be allowed in favour of applicant. At the same time for securing the presence of aforesaid vehicle as and when required during trial, reasonable conditions must be imposed. Hence, I pass the following order by imposing following restrictions.

ORDER

1. Application is allowed.
2. Seized muddemal i.e. Four wheeler of **Toyoto Innova** of bearing No. **MH-38/J-0099**, Chassis No. **MBJ11JV40070929540707**, Engine No. **2KD9913282** be given in the interim custody of applicant on executing Indemnity Bond of **Rs. 15,00,000/-** on Stamp of **Rs.200/-**.
3. The indemnity bond be executed before this court. The I.O. to produce the same along with the charge-sheet.
4. I.O. is directed to release the vehicle bearing no. **MH-38/J-0099** after taking the insurance copy of the same. I.O. is also directed to attach the insurance copy along with the charge-sheet.
5. The applicant shall produce the vehicle as and when required by the court. The applicant shall

not transfer the vehicle same till the disposal of the case.

6. Applicant shall not make any material change in the appearance of the vehicle.
7. The applicant shall furnish to the investigating officer two self attested coloured photographs of the vehicle for the identification. The investigating officer shall facilitate the photographs.
8. I.O. is directed to obtain residential as well as identity proof of applicant.

Place : Sinnar.

Date : 22/04/2026.

(**Shri. L.C.Wadikar**)

Judicial Magistrate, F.C., Court,
Sinnar.