

|                                                                                                       |                                                    |
|-------------------------------------------------------------------------------------------------------|----------------------------------------------------|
| MHOS040012312026<br> | Cri.M.A. No. 91/2026<br>Shila Jadhav ..V/s.. State |
|-------------------------------------------------------------------------------------------------------|----------------------------------------------------|

**Order passed below Exh.1**

The applicant has filed present application for claiming custody of seized car i.e. of Maruti Suzuki company's model Swift VXI car bearing registration No. MH-20-GQ-4091, having Chassis No. MBHCZCB3SPJD30495 and Engine No. K12NP1514054 (Herein after referred as "said vehicle" for short). The said vehicle was seized by Police Station, Tamalwadi, Tal. Tuljapur, Dist. Dharashiv in Cr.No.09/2026 u/s. 303 (2) of B.N.S., 2023.

2. Say of I.O., Ld. A.P.P. and accused was called. The I.O. has filed his say at Exh. 4 and submitted his no objection to return seized vehicle to the applicant subject to term and conditions of the Court. Ld. A.P.P. for the state has filed his say at Exh. 5. He submitted that if vehicle is return to the applicant then he may sell it or may make changes in it. The seized vehicle is important piece of evidence for the prosecution. Lastly, he prayed to reject the application.

3. Ld. Advocate for the applicant has submitted that the applicant is registered owner of the said vehicle. He needed custody of the said vehicle for his daily use. If custody of said vehicle kept with the police, then it may get damaged. Therefore, he prayed to hand over custody of said vehicle to the applicant.

5. The applicant has filed copy of F.I.R., copy of certificate of registration, copy of his AADHAR card on record. On perusal of documents on record, it makes clear that the police has seized the said vehicle in crime no. 09/2026 registered with Tamalvadi Police Station. Further, the applicant is a registered owner of the said vehicle. Except the applicant till date nobody has claimed custody of the said vehicle. Further if custody of said vehicle kept with police then possibility of its getting damaged cannot be ruled-out.

6. Considering the nature of offence, no purpose would be served by keep lying the said vehicle in police station for indefinite period. Hence, the applicant is entitled for custody of said vehicle u/s. 503 of the BNSS, 2023 subject to terms and conditions. Accordingly, I pass the following order.

**- ORDER -**

1. Application is allowed.
2. The concerned investigating officer is directed to hand over custody of seized vehicle Maruti Suzuki company's model Swift VXI car bearing registration No. MH-20-GQ-4091, having Chassis No. MBHCZCB3SPJD30495 and Engine No. K12NP1514054 to the applicant on furnishing an indemnity bond of ₹ 8,00,000/-(Eight Lakh Rupees) on following conditions-
  - a) The applicant shall not change the colour of above vehicle till final conclusion of the trial.
  - b) The applicant shall not alienate or transfer the above vehicle till the final conclusion of trial.

- c) The applicant shall produce the above vehicle as and when order by the Court.
- d) The I.O. is directed to take necessary colour photographs of the said vehicle. The applicant shall bear the cost of the photographs.
- e) The I.O. shall prepare panchanama of said vehicle. He is directed to submit panchanama and photographs of the said vehicle along with charge-sheet or final report as the case may be.

Place – Tuljapur.  
Date : 03/07/2026

( A.R.Mukkanwar )  
Judicial Magistrate, First Class  
Tuljapur (Court No.3).

**CERTIFICATE**

I affirm that, the contents of this P.D.F. file Judgment/order are same, word to word, as per the original Judgment/order.

|                                          |   |                                         |
|------------------------------------------|---|-----------------------------------------|
| Name of Stenographer                     | - | R.M. Kokare, Stenographer<br>Gr. III    |
| Court                                    | - | 3 <sup>rd</sup> Jt.CJJD & JMFC Tuljapur |
| Date                                     | - | 03/07/2026                              |
| Order signed by the Presiding Officer on | - | 03/07/2026                              |
| Order uploaded on                        | - | 03/07/2026                              |