


CNR NO. MHPU090015782026 	CRI.M.A. NO. 245/2026 Rushikesh Mahapure Vs State
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ORDER BELOW EXH.1
(Delivered on 25th March, 2026)

Perused application, documents enclosed, say of Ld. A.P.P and say of Investigating Officer.

02. This is an application filed under **Section 503 of B.N.S.S.** with prayer to handover the interim custody of seized vehicle i.e. Mahindra Scorpio bearing registered No. **MH-12-XB-0069**, Chassis No. **MAITA2YS2R2F43342**, Engine No. **YSR4F66768**, seized by Chinchwad Police Station in Cr. No. 60/2026.

03. The I.O. has filed his say and submitted that, he has no objection to hand over interim custody of the seized vehicle subject to terms and conditions. Ld. APP has filed his say and submitted that, he has no objection to hand over interim custody of the seized vehicle subject to terms and conditions.

04. I have given anxious consideration to the submissions of both sides. I have also minutely gone through the documents enclosed with application. First of all, as far as documents of title in respect of seized vehicle is concerned, the applicant Rushikesh Mahapure has filed verified copies of Aadhar Card and R.C. Book of the seized vehicle below **Exh.03** alongwith list of documents. On

perusal of R.C. book, it is seen that the applicant is the registered owner of the seized vehicle. Thus, as far as ownership is concerned, in my opinion, there is prima-facie evidence that applicant is the registered owner of the seized vehicle.

05. Thus, in view of aforesaid discussion, coupled with fact that, if the vehicle is kept idle in the police station, the possibility of damaging, diminishing the value and utility of seized vehicle can not be ruled out. No any another person other than applicant to claim seized property. In such circumstances in view of above discussion and ratio laid down by *Hon'ble Apex Court reported in case of Sundarbhai Vs. State of Gujarat; reported in 2003 (1) SBR 455 S.C.* it would be just and proper to allow the application and handover the custody of seized vehicle to the applicant on imposing the terms and conditions. Hence, I do not find any obstacle to allow the application. Hence, order :-

ORDER

- A Application is allowed.
- B The Seized vehicle Mahindra Scorpio bearing registered No. **MH-12-XB-0069**, Chassis No. **MAITA2YS2R2F43342**, Engine No. **YSR4F66768**, seized by Chinchwad Police Station in Cr. No. 60/2026 be handed over to the applicant i.e. **Rushikesh Vitthal Mahapure** on executing indemnity bond of Rs. 17,00,000/- (Rupees Seventeen Lakhs only) with following conditions that:-
- i) He shall not sell or transfer the seized Vehicle without the prior

permission of the Court.

- ii) He shall not hire or give the above property to any person in the future.
- iii) The applicant shall produce the said seized vehicle in the Court as and when directed.
- iv) He shall not change the nature of the property and get insured from insurance company without fail.
- v) The applicant shall produce notarized property documents such as R.C. Book, insurance, Adhar Card & FIR etc. of seized vehicle to the investigation officer. The I.O. shall not release the seized vehicle unless said documents are filed before him.
- vi) The applicant shall not dispose off, sell, mortgage, hypothetical or create any third party interest on the said vehicle or change the nature of it including colour of the said vehicle in any manner without prior permission of the court.
- C) The I.O. is directed that prior to release the seized vehicle she shall prepare a condition Panchnama of the said vehicle, take photograph of it at applicant's cost, get it counter signed by the applicant and submit it on record of the case.
- D) Indemnity Bond before Investigating Officer.
- E) Issue letter accordingly to the Investigating Officer/Police Station Officer.
- F) The present case is e-filed and this order / judgment is digitally signed; hence only the digitally signed order is uploaded on the Case Information System (CIS), without keeping any printed copy.
- G) If certified hard copy of this judgment / order is asked, the Registry shall provide the certified copy by taking printout of

the digitally signed judgment / order available on CIS or e-Court portal.

Pimpri, Pune.
Date – 25.03.2026.

(G. G. Auti)
Judicial Magistrate First Class,
(Court No. 7), Pimpri, Dist. Pune.

CERTIFICATE

I affirm that the contents of this PD.F. file Order are the same, word to word, as per the original Order.

Name of the Stenographer	:-	D. D. Konde
Name of the Court	:-	G. G. Auti 7 th Jt. J.M.F.C. & C.J.J.D Pimpri Pune.
Date	:-	25/03/2026
Order signed by the Presiding Officer on	:-	25/03/2026
Order uploaded on	:-	25/03/2026