



ORDER PASSED BELOW EXH. 27.

1. Applicant Nanda Vishnu Kasabe, R/o. Om Mitra Mandal, Survey No.65, Taljai Wasahat, Parvati, Pune, Dist. Pune, is claiming the interim custody of two wheeler vehicle i.e. Honda Shine motorcycle bearing registration No.MH-12-NG-4127, Chassis No. ME4JC652EG166469, Engine No.JC65E70529736, seized by the Indapur Police Station, Tal.Indapur, Dist.Pune in connection with crime No.1172/2023 and which is charge sheeted as RCC No.701/2023. Applicant stated that, her deceased husband Vishnu Gunyaba Kasabe is owner of seized vehicle. If said vehicle is kept in open space at police station, it will be damaged and she would suffer heavy economic loss. Therefore, she prayed for interim custody of seized vehicle on supurtnama.
2. Ld. APP for State filed his say contending that, said vehicle is used by accused No.3 for commission of present offence and it is the evidence of the case. If, it is given to applicant then applicant will destroy or misuse it. Applicant is not original owner of seized vehicle. Hence, he prayed for rejection of an application.
3. Accused No.3 Rohit Santosh Dhavare has filed his say below Exh.34, stating that, he has no objection to return seized vehicle to applicant.
4. Perused application, say and documents on record. Heard.
5. Applicant has filed xerox copy of vehicle particulars, it contains seized vehicle Honda Shine motorcycle bearing registration No.MH-12-NG-4127, Chassis No. ME4JC652EG 166469, Engine No.JC65E70529736, in the name of Vishnu Gunnaba Kasbe. It is the contention of applicant that, Vishnu Gunnaba Kasbe is her deceased husband. Applicant has filed the verified copy of death certificate of her husband and copy of

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insurance. It appears that, the Insurance policy is in force till 10.04.2025. It contains the name of Vishnu Kasbe . Applicant has also filed verified copy of her Aadhar card.

6. Applicant is ready to abide each & every condition. Relevant documents which are on record prima facie indicates that applicant is a registered owner of seized vehicle. No other proceedings is pending or initiated in respect of seized vehicle. Considering the nature of the matter, no legitimate purpose would be served by keeping said vehicle in the police station. There is every possibility of the damage of the said vehicle, if it is kept laying unused at the police station and thereby applicant would suffer economic loss without any reason. Charge sheet is filed. Therefore, investigation is completed. Considering aforesaid mentioned aspects, the application deserves to be allowed. Hence, following order is passed.

ORDER

1. Application is allowed as under subject to conditions.
 - a) Applicant to give affidavit that, she will not use the released vehicle in similar kind of offence and if she commits breach of any condition, she will be liable to pay the bond amount.
2. The Police Station Officer, Indapur Police Station, Tal.Indapur, Dist. Pune is directed to handover interim custody of vehicle viz. Honda Shine motorcycle bearing registration No.MH-12-NG-4127, Chassis No. ME4JC652EG166469, Engine No.JC65E70529736, seized by the Indapur Police Station, Tal.Indapur, Dist.Pune in connection with crime No.1172/2023 and which is charge sheeted as RCC No.701/2023 to applicant Nanda Vishnu Kasabe, R/o. Om Mitra Mandal, Survey No.65, Taljai Wasahat, Parvati, Pune, Dist. Pune, on executing supurtnama of Rs.1,00,000/- (Rs. One Lac only).
3. Before giving interim custody of seized vehicle detail panchanama of conditions shall be prepared in presence of I.O. and two independent panch witnesses and file the same on record along with Supurtnama.

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4. The Police Station Officer, Indapur Police Station is directed to take colour photographs of seized vehicle at the cost of applicant and file the same on record.
5. Applicant shall not sale, pledge, mortgage or make alterations in the seized vehicle till conclusion of trial and produce the same as and when directed by Court.
6. Bond before the Police Station Officer, Indapur Police Station, Tal.Indapur, Dist. Pune.
7. Police Station Officer, Indapur Police Station is directed to forward the bond in the case.
8. Accordingly, letter be issued to Police Station Officer, Indapur Police Station.
9. Interim custody of vehicle is given to applicant subject to future claim by any person.

Indapur.

Date : 24/05/2024.

(PL. Patil)

Judicial Magistrate First Class, Indapur.

CERTIFICATE

I affirm that the contents of this P. D. F. file Order are same word for word as per original Order.

Name of the Steno :- R.S.Parve,
Stenographer (Grade-III)

Name of the Court :- PL.Patil,
Judicial Magistrate First Class,
Indapur.

Date of Order :- 24/05/2024.

Order signed by
presiding officer :- 27/05/2024.

Order uploaded on :- 29/05/2024.