



**ORDER BELOW EXHIBIT - 01**  
(Sohel Sadik Kureshi Vs. Inspector- Daund Police Station)

1. By filing present application the applicant- Sohel Sadik Kureshi is seeking interim custody of Suzuki Company's Burgman Scooty motor cycle bearing registration No.MH-42-BR-4988 having its *chassis* No.MB8EA115CS8116785 & Engine No.AF215437968 (hereinafter referred to as 'the seized vehicle'), which is seized in Crime No.92/2025 under Sections 5C, 9A & 9B of the Maharashtra Animal Preservation Act, 1976 and Section 325 of BNS, 2023 by Daund Police Station, Tq. Daund, Dist. Pune.
2. It is contention of the applicant that he is the registered owner and possessor of the seized vehicle. As the applicant being the registered owner and possessor of the seized vehicle, he is in need of the seized vehicle for his daily use. The seized vehicle is lying in idle condition with Daund Police Station, Tq. Daund, Dist. Pune from the date of its seizure. At last, he prayed for giving interim custody of the seized vehicle on certain conditions.
3. On the other hand, by filing say (Exh.6) I.O. and learned special APP have taken objection to the application on the grounds that the alleged offence is serious and the seized vehicle has been used in the commission of alleged offence. They have further taken objection that if the seized vehicle is returned to the applicant, she will dispose off the same and she will commit similar offence. Hence, I.O. and learned special APP prayed to reject present application.

4. Heard Mr.F.K.Shaikh, learned advocate for the applicant and Smt.C.S.Bhosale, learned special APP for the State.

5. Perused the e-Filing application and documents placed on record more particularly copies of Certificate of Registration, Adhar Card of applicant, insurance policy and FIR. On perusal of Certificate of Registration and insurance policy of the seized vehicle, it appeared that the applicant is the registered owner and possessor of the seized vehicle and it is insured vehicle. I found substance in the submission of the applicant that; if the seized vehicle is kept as it is with the police station in idle condition, there is possibility of damaging the same by dust, atmosphere etc. In such circumstances, as there is no impediment to hand over interim custody in her favour. However, considering the apprehension in the mind of I.O. and learned special APP certain conditions need to be imposed while returning the custody of the seized vehicle to the applicant. In the result, I proceed to pass the following order.

**-: ORDER :-**

1. Application is allowed.
2. The I.O./Inspector, Daund Police Station, Tq. Daund, Dist. Pune is hereby directed to hand over interim custody of Suzuki Company's Burgman Scooty motor cycle bearing registration No.MH-42-BR-4988 having its *chassis* No.MB8EA115CS8116785 & Engine No.AF215437968 to the applicant – Sohel Sadik Kureshi, on his executing indemnity bond of Rs.60,000/- (In words Rs. Sixty Thousands Only) on following conditions:-
  - a. The applicant shall not change the colour and nature of the seized vehicle as well as he shall not sale, gift, mortgage or transfer the seized vehicle in any manner.

- b. The applicant is directed to produce the seized vehicle as and whenever required to I.O. for the purpose of investigation or by the Court for the purpose of inquiry and trial.
  - c. The applicant shall not use or permit to use the seized vehicle in any offence or for any illegal purpose or in any manner likely to reduce it's value.
3. Before releasing the seized vehicle, I.O. shall prepare detail panchanama and to take four colour photographs from different angle and other particulars of the seized vehicle at the expenses of the applicant and hand over the custody of the seized vehicle to the applicant.
  4. I.O. shall attached the photographs and other particulars of the seized vehicle along with charge-heet and if charge-heet has already been submitted then I.O. shall produce the photographs and particulars of the seized vehicle to be attached to the charge-heet.
  5. The applicant shall execute the Indemnity Bond before Investigating Officer.
  6. Issue letter to Daund Police Station, Tq. Daund, Dist. Pune and Hamdust is allowed, accordingly.

Date : 10/03/2026.

(G.S.Badgujar)  
Judicial Magistrate First Class,  
(Court No.3), Daund.

**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	Shri. S. B. Khule (L.G.)
Name of Court	3 <sup>rd</sup> Jt. CJJD & JMFC, Daund.
Date of Dictation	10/03/2026.
Judgment/Order signed by the PO on	10/03/2026.
Judgment /Order uploaded on	10/03/2026.