



ORDER BELOW EXHIBITE - 01
(Shubham Uttam Rupanvar Vs. Inspector- State
Excise Department, Daund)

1. By filing present application applicant namely Shubham Uttam Rupanvar is seeking interim custody of Maruti Suzuki Swift car bearing registration No.MH-12-KE-9799 having its *chassis* No.MA3FHEB1S00363750 and Engine No.D13A342818 and one Realme C-55 mobile bearing IMEI No.864755060401118, 864755060401100 which were seized in Crime No.92/2026 under Sections 65(kh) & (e) of the Maharashtra Prohibition Act, 1949 by State Excise Department, Daund, Tq. Daund, Dist. Pune (hereinafter referred to as 'the seized vehicle and mobile').
2. By filing say (Exh.6) I.O. and learned special APP have taken strong objection to the application.
3. Heard Mr.R.M.Kambale, learned advocate for the applicant and Smt.C.S.Bhosale, learned special APP for the State. Perused the e-filed application, documents and say.
4. Mr.R.M.Kambale, learned advocate for the applicant submitted that the applicant is the owner and possessor of the seized vehicle and mobile. As the applicant being the owner and possessor of the seized vehicle and mobile, he is in need the seized vehicle and mobile for his daily use. The seized vehicle and mobile are lying in idle condition with State Excise Department, Daund, Tq. Daund, Dist. Pune from the date of its seizure. At last, he prayed for giving interim custody of the seized vehicle and mobile on certain

conditions.

5. On the other hand, the Investigating Officer and learned special APP in their (Exh.6) have taken objection to the application on the grounds that if the seized vehicle and mobile are returned to the applicant, he will misuse the seized vehicle and mobile, he will dispose off the same and he will not produce the seized vehicle and mobile before the Court, if required. Learned special APP has further taken objection that offence is serious and if the seized vehicle and mobile are returned to the applicant possibility of reuse of the same in the similar type of offence cannot be ruled out. Hence, I.O. and learned special APP prayed for rejection of the application.

6. Perusal of the e-Filing application and documents placed on record more particularly scanned copies of Certificate of Registration, mobile purchase receipt, Aadhar Card of applicant, it appears that the applicant is the registered owner of the seized vehicle and mobile. Therefore, I find substance in the submission of the applicant that being registered owner he is entitled for interim custody of the seized vehicle and mobile if the seized vehicle and mobile are kept as it is with the State Excise Department, Daund, Dist. Pune in idle condition, there is possibility of damaging the same by dust, atmosphere, etc. In such circumstances, there is no impediment to hand over interim custody in favour of the applicant. However, the applicant has not furnished any valid copy of insurance policy of the seized vehicle. In such circumstances, considering the apprehension in the mind of I.O. and learned special APP certain conditions need to be put while returning the custody of the seized

vehicle and mobile to the applicant. Thus, in the result, I proceed to pass the following order :

-: ORDER :-

1. Application is allowed.
2. The I.O./PS.O., State Excise Department, Daund, Dist. Pune is hereby directed to hand over interim custody of Maruti Suzuki Swift car bearing registration No.MH-12-KE-9799 having its *chassis* No.MA3FHEB1S00363750 and Engine No.D13A342818 and one Realme C-55 mobile bearing IMEI No.864755060401118, 864755060401100 to the applicant – Shubham Uttam Rupanvar on his executing indemnity bond of Rs.6,00,000/- (In words Rs. Six Lakhs Only) after receiving insurance papers, on following conditions:-
 - a. The applicant is directed to take insurance of the seized vehicle.
 - b. The applicant shall not change the colour and nature of the seized vehicle and mobile as well as he shall not sale, gift, mortgage or transfer the seized vehicle and mobile in any manner.
 - c. The applicant is directed to produce the seized vehicle and mobile as and whenever required to I.O. for the purpose of investigation or by the Court for the purpose of inquiry and trial.
 - d. The applicant shall not use or permit to use the seized vehicle and mobile in any offence or for any illegal purpose or in any manner likely to reduce it's value.
3. Before releasing the seized vehicle and mobile, I.O. shall prepare detailed panchanama and to take three colour photographs from different angle and other particulars of the seized vehicle and mobile at the expenses of the applicant and hand over the custody of

the seized vehicle and mobile to the applicant.

4. The applicant shall execute the Indemnity Bond before Investigating Officer.

5. I.O. shall produce aforesaid panchanama, photographs and other particulars of the seized vehicle and mobile and Indemnity Bond to be attached to the charge-sheet.

6. Issue letter to State Excise Department, Daund, Dist. Pune and Hamdust is allowed accordingly.

Date : 16/06/2026.

(G.S.Badgujar)
I/c. JMFC (Court No.2), 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 rd Jt. CJJD & JMFC, Daund.
Date of Dictation	16/06/2026.
Judgment/Order signed by the PO on	16/06/2026.
Judgment /Order uploaded on	16/06/2026.