

Criminal Misc. Application No.294/2024
Pradip Hore V/s. State of Maharashtra
CNR No : MHPU20-002392-2024

ORDER BELOW EXH-1

01. This application is filed by applicant namely ***Pradip Sopan Hore*** for seeking interim custody of Mahindra Company's Pick-up having registration No.MH-14-JL-4029 chassis no. MA1ZN2TNKM1G53602 Engine No.TNM1F70464 seized in Cr. No. 342/2024 of Rajangaon MIDC Police Station registered for the offence punishable U/sec. 420, 406 r/w 34 of the Indian Penal Code, 1860.

02. It is the contention of the applicant that, seized property is kept at Rajangaon Police Station, Rajangaon, Tq. Shirur, Dist. Pune. Investigation of the above crime is completed. The property which is seized in the Cr. No. 342/2024, is the property which is owned by the present applicant. He requires the said property in his custody, as he is the owner of the seized property. It is further contention of applicant that, if the seized property will not be released, the property being of daily use will be damaged and its value will be diminished. Hence, it is prayed that, seized property may kindly be released and handed over into the custody of the applicant as owner.

03. Ld. A.P.P. and I.O. have failed to file their say and argue the matter and resist the contentions in the application. Hence, application proceeded without say and argument of the Ld. A.P.P. and Investigating Officer.

04. Perused the record. Heard, the learned advocate appearing on behalf of applicant. Applicant has produced on record certified copy of F.I.R. of Cr.No. 342/2026 by which it can be seen that the said vehicle had been seized in the crime The RC book had been also filed on record by which it can be seen that, the applicant is the owner of the seized vehicle.

05. Hence, considering above contentions mentioned in the application, I am of the opinion that, applicant is entitled to the interim custody of the seized property, as the possibility of damage to the said articles can not be ruled out for want of its use in the custody of police. But, at the same time certain terms and conditions are required to be imposed while giving the interim custody of said vehicle to the applicant, so that the said vehicle can be procured before court, during course of trial. Hence, following order is passed,

:: O R D E R ::

- 01.** The concerned Investigating Officer of Rajangaon MIDC Police Station, Rajangaon, Tq. Shirur, Dist. Pune is directed to hand over the custody of the Vehicle bearing registration No.MH-14-JL-4029 chassis no. MA1ZN2TNKM1G53602 Engine No.TNM1F70464 seized in Cr. No. 342/2024, U/s. 420, 406 r/w. 34 of Indian Penal Code, 1860 after furnishing Indemnity Bond of ₹ 10,00,000/- (₹ Ten Lac Only.) by the applicant, on his proper identification.
- 02.** The applicant is directed to produce the seized articles in the Court as and when ordered by the Court, during course of trial and he is further directed not to change, alter, transfer or modify the said articles, without proper permission of the Court.
- 03.** The applicant shall furnish Indemnity Bond at Rajangaon MIDC Police Station, Rajangaon, Tq. Shirur, Dist. Pune.

04. The Investigation Officer is directed to prepare proper detail Panchanama while handing over the interim custody of the seized articles and also to snap Colour Photographs of the each article and submit the same as well as indemnity bond along with charge-sheet. The expenses in respect of snapping of colour photographs of each articles shall be born by the applicant himself.
05. The Application is accordingly disposed of.

Date: 18/08/2026.

(C. M. Kharkar)
Judicial Magistrate First Class
Ghodnadi Shirur (MHPU20-3003)