

RCC No. 36/2024

Nazhir Ibrahim vs. State

MHPU23-000117-2024

ORDER BELOW EXH.13
(Passed on 19/03/2024)

This is an application under section 451 of Cr. P. C for releasing of Honda Unicorn motorcycle bearing No. MH-14-CE-1415 having chasis no.ME4KC09CEA8020676 seized by Chakan Police Station in Crime No. 661/2023. Perused application and say of Ld. APP

2. It is contended by the applicant that he is the owner of the vehicle. His vehicle was seized by the Chakan Police Station in Crime No. 661/2023. Ld. APP raised objection to release vehicle in custody of applicant by stating that, if vehicle is released applicant will change its structure and will again use the same for commission of offence. Hence, prayed for rejection of application.

3. In support of his application, the applicant has filed copy of vehicle particulars of vehicle, Adhar card of the applicant. The above document show that vehicle is in the name of Bagwan Nazir Ibrahim who is father of applicant and who is reported to be dead. The applicant filed his copy of death certificate on record. Applicant being a son of deceased father claimed the custody of vehicle. Except applicant nobody has claimed the custody of vehicle. Applicant is ready to abide by the directions of the Court and is ready to produce the vehicle as and when directed. Hence, applicant is entitled to interim custody of the above vehicle on conditions. In the result, I pass the following order.

ORDER

1. The application is allowed.
2. The Honda Unicorn motorcycle bearing No. MH-14-CE-1415 having chasis no.ME4KC09CEA8020676 seized by Chakan Police Station in Crime No. 661/2023 be released in favour of applicant on his furnishing indemnity bond of **₹1,00,000/- (One Lakh Only)**.
3. The applicant shall execute the indemnity bond of above amount in the name of PSO of Chakan Police Station. In turn, the PSO Chakan Police Station shall release and handover the custody of the above vehicle to the applicant concerned on his due identification.
4. The applicant shall not change the identity of the above vehicle in question in any mode or manner and shall not create any third party interest till the conclusion of the trial of Crime No.661/2023 and shall produce the vehicle as and when required and directed by the I. O. or during trial.
5. The I. O. is directed to file the indemnity bond, submitted by the applicant, along with charge-sheet.
6. Inform the PSO, Chakan Police Station accordingly.

Rajgurunagar-Khed.
Date- 19/03/2024

Sd/xx
(Shri. S.B.Pawar)
Judicial Magistrate First Class
Rajgurunagar-Khed.

CERTIFICATE

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

Name of Stenographer	: Gilbile A.D. Steno (L.G)
Court	: J.M.F.C. Khed-
Rajgurunagar	
Date	: 19.03.2024
Order signed by the Presiding Officer on	: 20.03.2024
Order uploaded on	: 20.07.2023
