

CNR. No. MHPU230021852026 	e-file Cri.M.A. No. 228/2026 Himmatkumar ..V/s.. State
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ORDER BELOW EXHIBIT-1

(Passed on this 04th July, 2026)

The present application is filed by the applicant for interim custody of **Maruti Suzuki Company's Four Wheeler NEW SWIFT ZDI** bearing registration No. **GJ-01-RG-2925** and chassis No. **MA3FHEB1S00659737** and engine No. **D13A236916** and **V70 ELITE Model Andried mobile Handset IMEI No. 864253088998729** (hereinafter referred for article No. 1 as 'vehicle' and for article No. 2 as "Handset") and The said vehicle and handset were seized by the Police Station, North Chakan in Crime No. 357/2026 under Section 331 (4), 305 read with Section 3(5) of Bharatiya Nyaya Sanhita, 2023.

02. The applicant submitted that, he is the owner of said vehicle and handset. He had purchased the said vehicle and handset for his daily needs. The said vehicle and handset were seized in Crime No. 357/2026 by the Police Station, North Chakan as the vehicle and handset were involved in the alleged offence. The applicant further submitted that, he needs said vehicle and handset for his daily needs as he uses it for his commute and his personal use. If the application is not allowed, he would therefore suffer huge financial loss. Thus he prayed for interim custody of the said vehicle and handset. The applicant also agreed to abide conditions, if any, imposed by the Court.

03. The learned A.P.P. and Investigating Officer have filed their say to the said application and submitted that only vehicle is seized by the police. The handset has not seized by the police in present crime. He further submitted that vehicle is important piece of evidence to the prosecution case. If the custody is handed over to the applicant, he may use for committing similar kind of offence. Hence, prayed to pass appropriate order.

04. Heard both sides. Perused the record and documents filed along with it. The applicant has filed verified copy of certificate of registration of the vehicle, his verified copy Aadhar Card and copy of F.I.R. On the said documents the applicant namely, Himmatkumar Roshanji Salvi is the registered owner of the said vehicle.

05. The Hon'ble Supreme Court in (Sunderbhai Ambalal Desai ..V/s.. State Of Gujarat, (2002) 10 SCC 283, held that:

“In our view, whatever be the situation, it is of no use to keep such seized vehicles at the police stations for long period. It is for the Magistrate to pass appropriate orders immediately by taking appropriate bond and guarantee as well as security for return of said vehicles, if required at any point of time.”

06. The apprehension the said vehicle may use to commit similar types of offence by the prosecution would be protected by imposing certain conditions on the applicant. Further, the say filed by I.O. and Ld. A.P.P. is not suggesting that detention of said vehicle is necessary for the purpose of

further investigation. Under such circumstances, if said vehicle is kept lying in the premises of police station then it will become junk day by day. Moreover, no purpose would be served by keeping the vehicle idle in the premises of police station. Hence, it would be just and proper to handover interim custody of said vehicle to the applicant. The I. O. has submitted in his say he has not seized the handset from the custody of the applicant. Therefore, applicant is not entitled for the custody of handset. In the result, following order is passed:

ORDER

1. The application is partly allowed.
2. The interim custody of **Maruti Suzuki Company's Four Wheeler NEW SWIFT ZDI bearing registration No. GJ-01-RG-2925 and chassis No. MA3FHEB1S00659737 and engine No. D13A236916** seized by Police Station, North Chakan in connection with **Crime No. 357/2026** be given to the present applicant on furnishing his idemnity bond of **Rs. 2,50,000/- (Rs. Two Lakh Fifty thousand only)** on the following conditions -
 - a. He shall not sell or create third party interest in the said vehicle till final disposal of the case.
 - b. He shall not change colour, make over, or modification and the nature of said vehicle till final disposal of the case.
 - c. He shall produce said vehicle before I.O. and before the concerned Court as and when required.
3. The Investigating officer is hereby directed to take coloured photographs of said vehicle from all sides and prepare detail panchanama of said vehicle which shall be countersigned by

the applicant and submit these documents alongwith the chargesheet.

4. The applicant shall submit an indemnity bond duly executed by him before the I.O.

Date: 04.07.2026

Place: Khed-Rajgurunagar

**(P. S. Bankar)
Judicial Magistrate, F. C.,
Khed-Rajgurunagar.**

CERTIFICATE

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

Name of Steno : Smt. K. U. Pawar

Court Name : Shri.P. S. Bankar
Judicial Magistrate First Class,
Khed-Rajgurunagar, Dist. Pune.

Date : 04.07.2026

Judgment/Order signed by
presiding officer on : 04.07.2026

Judgment/Order uploaded on : 04.07.2026