

**RCC. No. 314/2022**

**State Vs. Reshma and ors.**

**MHPU23-001554-2022**

**ORDER BELOW EXH.1**  
**(Passed on 07/12/2022)**

This is an application under section 451 of Cr. P. C for releasing Motorcycle bearing No. MH12-PY-2138 seized by PSO, Khed in Crime No. 441/2020. Perused application and say of Ld. APP.

2. It is contended by the applicant that he is the owner of the Motorcycle. His Motorcycle was seized by the PSO, Khed in Crime No. 441/2020. The detention of the motorcycle is causing hardship to his. Ld. APP raised objection to release vehicle in custody of applicant by stating that, vehicle is used in committing offence and hence he prayed rejection of application.

3. In support of his application, the applicant has filed verified copy of certificate of registration of Motorcycle and Adhar card of the applicant. The above documents prima facie show that applicant is owner of Motorcycle. Applicant is ready to abide by the directions of the Court and is ready to produce the Motorcycle as and when directed. The charge-sheet does not show involvement of above vehicle in alleged offence. Hence, applicant is entitled to interim custody of the above vehicle on conditions. In the result, I pass the following order. and

**ORDER**

1. The application is allowed.
2. The Motorcycle bearing registration no. MH12-PY-2138 having its Chassis No.MBLHA0094HHM00087 and Engine No. HA10AFHHM00770 seized by PSO, Khed in

Crime No. 441/2020 be released in favour of applicant Dhnyaneshwar Ramesh Tonde on his furnishing indemnity bond of ₹70,000/-(Seventy Thousand Only).

3. The applicant shall execute the indemnity bond of above amount in the name of PSO, Khed. In turn, the PSO, Khed shall release and handover the custody of the above Motorcycle to the applicant concerned on his due identification.
4. The applicant shall not change the identity of the Motorcycle in question in any mode or manner and shall not create any third party interest till the conclusion of the trial of present case and shall produce the Motorcycle as and when required and directed during trial.
5. The IO is directed to file the indemnity bond, in the court as soon as vehicle is released in favour of applicant.
6. Inform the PSO, Khed accordingly.

Rajgurunagar-Khed.  
Date- 07/12/2022

(R. D. Patange-Ingle)  
Judicial Magistrate First Class  
Rajgurunagar-Khed.

**प्रमाणपत्र**

मी अशी खात्री देतो की, सदर पी. डी. एफ. फाईलमधील मजकूर मुळ आदेशाप्रमाणे प्रत्येक शब्द बरोबर आहेत.

लघुलेखकाचे नाव	—	आर.व्ही.बेलदार, लघुलेखक नि.श्रे.
न्यायालयाचे नाव	—	आर. डि. पतंगे—इंगळे सह दिवाणी न्यायाधीश क. स्तर राजगुरुनगर—खेड व न्यायदंडाधिकारी प्रथम वर्ग राजगुरुनगर—खेड
दिनांक	—	०७/१२/२०२२
पिठासीन अधिकारी यांनी सही केलेला दिनांक	—	०७/१२/२०२२
आदेश अपलोड केल्याची तारीख	—	०७/१२/२०२२