

CNR No. MHPU-2300-2632-2026

ORDER BELOW EXH.1

Present application is filed by the applicant to release the vehicle i.e. **PIAGGIO VEHICLES PVT LTD APE XTRA LD THREE WHEELER** bearing Registration No. **MH-14 FT-1067** Chassis No. **MBX0000XBUJ347876** and Engine No. **S6H8610392** under section 503 of the B.N.S.S.

2. Investigating Officer has given objection to release the said muddemal property. Ld. A.P.P. has contended that, application is deserve to be rejected because he does not possession of any document of ownership of seized vehicle. Hence, application may kindly be rejected.

3. The applicant has filed documents i.e. copy of FIR, copy of RC book & copy of vehicle particular. After verification of the documents of said vehicle it is seen that, applicant is the possessor of the said vehicle. It is seized in Crime No. **490/2026**. If said vehicle should not be released, it will be damaged.

4. Applicant further submitted that, he is in need of said vehicle. I have also gone through the Judgment of Hon'ble High Court in the case of **Sunderbhai Ambalal Desai Vs. State of Gujarat (AIR 2003 S.C. 639)**. It is settled law regarding the releasing of seized property in pending trial. The present case, considerable time will be consumed in

the investigation and trial as such, considering the vehicle in question and it's deterioration if left lying in the police station unused, it would be just and proper to release the said vehicle in favour of the applicant, who is proved to be its possessor on the basis of above verified documents, produced with this application. Hence, it would be proper to release the said vehicle in favour of it's registered owner on certain terms and conditions. Considering all the facts and circumstances, the application deserves to be granted. Hence, I pass following order.

ORDER

- 1) Application below **Exh.1** is hereby allowed.
- 2) Vehicle i.e. **PIAGGIO VEHICLES PVT LTD APE XTRA LD THREE WHEELER** bearing Registration No. **MH-14 FT-1067** Chassis No. **MBX0000XBUJ347876** and Engine No. **S6H8610392** be returned to the applicant viz. **Shri. Ajit Dhondibhau Dongare** on execution of indemnity bond (on the non-Judicial stamp of Rs. 500/- as per Article 35 of Maharashtra Stamp Act) for **Rs.1,00,000/- (Rupees. One Lakh only)** on the following conditions.
- 3) Applicant shall not change colour of the said vehicle or make any alteration in it.
- 4) Applicant shall not create any third party interest by way of alienation, etc.

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Cri. M.A. 257/2026
Ajit Dhondibhau Dongare
Vs. State of Maharashtra

- 5) Applicant shall produce the said vehicle in the Court as and when required, during trial.
- 6) Applicant shall produce photographs of the said vehicle before the concerned I.O.

Date: 04/07/2026

(Smt. J. C. Gupta)
Judicial Magistrate First Class
Khed-Rajgurunagar, Court no.3.