

MHPU260036862026 	VILAS BABAN SHINDE Vs STATE OF MAHARASHTRA THROUGH VADGAON POLICE STATION.
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Order below Exh.no.1 in Cri.M.A.No. 413/2026

1. This is an application for return of property seized by Vadgaon Maval Police Station, Pune. The property i.e. **ASHOK LELAND TACK**, bearing registration no. **MH 50 1596**, is seized under C.R. no.172/2026 for the offense punishable under sections 11(1) K,11(1) I, 11(1) M of The Prevention of Cruelty to Animals Act 1960, Sections 5(a),5(b) of Maharashtra Animal Protection Act, 1976, Section 125 of Central Motor Vehicle Act 1989 and Sections 47,49,54 & 56 of Transport of Animals Rules, 1978.

2. Perused the application. It is supported by an affidavit of the applicant. Applicant asserted that, said property i.e. **ASHOK LELAND TACK**, bearing registration no. **MH 50 1596**, is seized by the Vadgaon Maval Police Station, Pune. He was using that Vehicle as her daily needs. Due to it's seizure, now he is suffering a loss. If said Vehicle is kept in police station it will get damaged it's value will diminish. Therefore, he has prayed for return of it to him on his executing bond.

Description of the property-

Vehicle Make- **ASHOK LELAND TACK**, Chassis No. **MB1A3DYC3DPYH1932** Vehicle No. **MH 50 1596**, Engine No. **DYP107087**, Approximately Value of the Vehicle – 7,00,000/-

The applicant has filed following documents-

i. Photo copy of FIR, ii. Verified copy of Aadhar Card of applicant.
ii. Verified copy of Certificate of Registration. iv. Copy of Insurance of Vehicle.

3. Ld. APP & I.O. has objected the to return the vehicle to present applicant on the ground that, the seized vehicle is valuable evidence and accused is likely to use the seized vehicle in the commission of similar offence and is likely to change the nature of the seized vehicle.

4. Perused the application and documents on record. Also considered the reply by Ld. APP and Investigating Officer. Perusal of the R.C. Book and other documents on record, it seems that, applicant is the owner of the seized vehicle. So far as to the objections raised by Ld. APP are concerned, applicant is ready to abide the conditions imposed by the court. So also considering the nature of property seized, it's protection, guarding and safe custody is not reasonably practicable while keeping it in custody of police. It may be degenerated or may lose its worth and value. Use of that Vehicle is daily need of the applicant. The applicant is entitled for interim custody of said Vehicle. Thus, in the interest of justice he is entitled for the interim possession of the same. Further directions by the Hon'ble supreme court in the judgment of *Sunderbhai Ambalal Desai v State of Gujrat 2002 supp(3)39* are very much clear in this regard. Therefore, following order is passed as per section 503 of BNSS.

ORDER

1. The application is allowed.

2. I.O. of Vadgaon Maval Police Station is directed to hand over possession of seized Vehicle **ASHOK LELAND TACK**, bearing registration no. **MH 50 1596**, to the applicant till conclusion of trial on applicant executing bond of Rs.7,00,000/- seized under C.R. no.172/2026 for the offense punishable under sections 11(1) K,11(1) I, 11(1) M of The Prevention of Cruelty to Animals Act 1960, Sections 5(a),5(b) of Maharashtra Animal Protection Act, 1976, Section 125 of Central Motor Vehicle Act 1989 and Sections 47,49,54 & 56 of Transport of Animals Rules, 1978.
3. The applicant to undertake that, he shall not sell, transfer, gift or destroy or otherwise alienate the said seized property without prior permission of the Court. The applicant shall maintain and preserve the property in all respect.
4. The applicant shall produce the property in the Court as when directed.
5. It is directed to I.O. that prepare proper panchanama and take photographs of the property from all sides and file the same along with charge sheet.
6. The applicant shall not use said vehicle in the commission of similar offence.

Place : Vadgaon Maval
Dated : 18.07.2026.

(Shri. V.R. Doifode)
4th Jt. CJJD and JMFC,
Vadgaon Maval, Pune.

CERTIFICATE

I affirms that the contents of this P.D.F file

Judgment are same word for word as per original order.

Name of Steno : M.B. Ingole

Court Name : Shri. V. R. Doiphode, 4th Jt.
C.J.J.D. & J.M.F.C. Vadgaon
Maval, Pune.

Date of order : 18.07.2026

Order signed by P.O. on :18.07.2026

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