

MHRG030000502021



S.C.C. No. 151/2021

(The State through Revdanda Police Station Vs. Prakash Mangilal Sharma & Ors.)

CNR No. MHRG030000502021

:: ORDER BELOW EXH. 57 ::

Perused application and say given by the learned Spl. A.P.P. Heard advocate of the applicant/accused and learned Spl. A.P.P.

02. The said application is filed by accused Asif Abdul Shakur Supariwala. He is praying to release the seized vehicle i.e. Hyundai Santro Car bearing registration No. MH-14/P 6253, Engine No. 07654 and Chasis No. MALAB51GRYM129846, in his favour. The learned Spl. A.P.P. objected it.

03. From registration certificate of the vehicle, it appears that the seized vehicle is owned by the applicant. The charge-sheet is submitted and witnesses are being examined by the prosecution. It appears from charge-sheet that the said vehicle is seized on 04/03/2020 and since then it is in custody of the police. Therefore, now I find there is no reason to keep the vehicle in the custody of the police and to leave it unattended, to allow it for a natural decay.

04. The learned Spl. A.P.P. though apprehended certain things, if the vehicle is released that apprehension can be

:: 2 ::

addressed by imposing certain conditions. In the result, I pass the following order ;

:: ORDER ::

01. The application is allowed.
02. The seized Hyundai Santro Car bearing registration No. MH-14/P 6253, Engine No. 07654 and Chasis No. MALAB51GRYM129846, be returned to the applicant on execution of bond of Rs. 2,00,000/- (Rs. Two Lacs only).
03. The applicant shall not dispose off the vehicle in any manner till termination of the case.
04. He shall produce the said vehicle before the Court as and when ordered for.
05. He shall not change the nature of the vehicle.
06. The investigating officer is directed to take photographs in colour, of the said vehicle before releasing it in favour of the applicant and to draw detailed panchnama of the car.

Alibag.

Date : 07/02/2024.

sd/-

(S.W. Ugale)

Chief Judicial Magistrate,
Raigad-Alibag