

MHRG170002152026



IN THE COURT OF ADDITIONAL SESSIONS JUDGE, PANVEL,
RAIGAD AT : PANVEL
ORDER BELOW EXHIBIT NO.1
IN CRIMINAL MISCELLANEOUS NO.9/2026

The applicant Bebi Ravi Josef has preferred application for interim custody of Swift car.

2] It is case of applicant that Panvel City police station has seized Swift car bearing registration No.MH04/MA-7549 having Chassis No. MBHZCDESKRF134291 and Engine No.Z12EP1034311 in connection with C.R.No.28/2026 registered with Panvel City police station for the offences p/u/sec.20(b)(ii), 8(c) of NDPS Act.

3] It is the case of applicant that she is owner of above mentioned swift car. She is not accused in said case. The seized car is necessary for her daily use. Police have kept above mentioned car in police station in open condition. It will prone to natural decay on account of whether condition. He is ready to abode by the terms and conditions which may be imposed upon him by Court. Hence, it is prayed by her that interim custody of above numbered swift car be returned to her.

4] The opponent State has filed its say at Exh.6 and raised objection. It is stated that if seized car returned to applicant, it will

be again used in similar kind of offence by accused. Hence, it is prayed that the application be rejected.

5] Heard Ld. Advocate Shri Amol Khillare for the applicant and Ld. APP Shri Y. S. Bhopi for the opponent State. Perused application, say and documents available on record.

6] Shri Khillare, the Ld. Advocate for applicant argued on the line of averments made in his application whereas Shri Bhopi, the Ld. APP made his submissions on the line of averments made in his say.

7] Applicant has filed on record a copy of registration certificate. On perusal of said registration certificate it is seen that seized Swift car is registered in the name of applicant.

8] Applicant has also filed an affidavit in support of her application wherein it is stated by her that she is owner of seized Swift car bearing registration No. MH04/MA-7549.

9] It is observed by the Hon'ble Apex Court in the case of Sunderbai Ambalal Desai Vs. State of Gujrat, AIR 2003, Supreme Court, 638 that "when the vehicle is seized in connection with any offence, the vehicle be released expeditiously." Thus, considering the aforesaid factual aspects and ration laid down in Sunderbhai's case there is no reason to deny the interim custody of the rickshaw to the applicant. Besides, it is pertinent to note that if the seized car in question is kept in police station in open condition without any care and allowed to be subjected to rain and sun, its condition will

deteriorate and there is every possibility of damage to its spare parts. For this reason also, it is necessary to grant interim custody of seized car bearing registration No.MH-04/MA-7549. Hence, I pass following order.

ORDER

1. The application is allowed.
2. The interim custody of seized Swift desire car bearing registration No. MH-04/MA-7549 having Chassis No. MBHZCDESKRF134291 and Engine No.Z12EP 1034311 in crime No.28/2026 registered with Panvel City police station shall be given to the applicant Bebi Ravi Josef on following conditions.
 - a) the applicant shall furnish *supurdnama* in the sum of Rs.10,00,000/- (Rs. Ten Lacs Only) before investigating officer of Panvel City Police Station with condition that she shall produce above mentioned Swift car in question before the Court of trial and also as and when required and directed by Court.
 - b) The applicant shall not sell, mortgage, transfer or dispose of said car in question in any manner and shall not make any change in its body, colour, chassis number and engine number.
 - c) Before giving interim custody of the seized car in question to applicant, colour, photographs of cabinet size from different clearly angles indicating registration number and other particulars of seized Swift car in question shall be kept on file and expenses of photographs shall be borne by applicant.

It is made clear that in case of allegations regarding involvement of said seized Swift car in question to any criminal activities or in transportation of any objectionable articles, the order as to interim release of the auto rickshaw in question shall stands vacated automatically.

Panvel
Date :-09/03/2026

(S. R. Ugale)
Special (NDPS) Judge,
Panvel

CERTIFICATE

I affirm that the contents of this P.D.F. file order are same, word to word, as per the original order.

Name of the stenographer : S.J.Sheth
Name of the Court : Additional Sessions Judge,
Panvel Raigad
Date of dictation (Direct) : 09/03/2026
Judgment checked and signed
by the P.O.on : 11/03/2026
Order uploaded on : 11/03/2026