

MHRG170018872025



**IN THE COURT OF ADDITIONAL SESSIONS JUDGE, PANVEL-
RAIGAD AT : ALIBAG
ORDER BELOW EXHIBIT NO. 9 IN SPECIAL CASE NO. 225/2025
(Date : 23/01/2026)**

The applicant Arunkumar Ramprakash Gupta has filed present application seeking interim custody of the seized car.

2] It is the case of applicant that he is registered owner of Maruti Breeza LXI bearing registration No.MH47/BT-4529 having its Chassis No.MA3RYHK1SRH468140 and Engine No. K15CN7516903. The police of Neral Police Station have seized said car in connection with C.R.No.137/2025 registered with Neral police station for the offences punishable under Sections 25, 27(a), 29, 30 and 8(c) of the Narcotics Drugs and Psychotropic Substances Act, 1985.

3] It is the case of applicant that above mentioned vehicle has been seized by Neral Police station. Said car is having no concern with the crime in question. The applicant is not an accused in said crime. Applicant is required said vehicle for his personal traveling. The police have kept said car in the Police Station in open condition for long period. It will prone to

natural decay on account of weather conditions. He is ready to abide by the terms and conditions which may be imposed upon him by the Court. Hence, it is prayed by him that the interim custody of above numbered car be given to him.

4] The opponent-State has filed its say at Exh.21. It is stated by opponent-State that the above numbered car was involved in the serious offence. If the interim custody of the said car is handed over to the applicant, the possibility of its being used again in the similar kind of crime cannot be ruled out. It is also stated that the above numbered car being the material evidence, will be required at the time of trial. Hence, it is prayed that the application be rejected.

5] Heard learned advocate Shri.Anant Pandey for the applicant and learned Spl PP Shri Y.S.Bhopi for the opponent State. Perused the application, say and documents available on record.

6] Shri. Pandey the learned advocate for applicant argued on the line of averments made in his application whereas Shri. Bhopi, the learned Additional Public Prosecutor made his respective submissions on the line of averments made in his say.

7] The applicant has filed his affidavit in support of the application wherein it is stated by him that he is the owner of

the car in question. He also produced on record registration certificate of the car in question, insurance copy which shows that the car in question stands in the name of present applicant. Applicant has also filed his PAN card and Aadhar card.

8] It is observed by the Hon'ble Apex Court in the case of **Sunderbai Ambalal Desai V/s State of Gujarat, 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 ratio laid down in *Sunderbai's* case there is no reason to deny the interim custody of the car to the applicant. Besides, it is pertinent to note that if the 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 the car to the applicant. Hence, I pass the following order.

ORDER

1. The application is allowed.

2. The interim custody of Maruti Breeza LXI bearing registration No. MH-47BT 4529 having its Chassis No. MA3 RYHK 1 SRH 468140 and Engine No. K15CN 7516903 seized in C.R.No.137/2025 registered with Neral Police Station, shall be given to the applicant Arunkumar Ramprakash Gupta on following conditions ;

The applicant shall furnish *supurdnama* in the sum of Rs.10,00,000/- (Rupees Ten Lacs only) before Investigating officer of Neral Police Station with condition that he shall produce the car in question before this Court at the time of trial and also as and when required & directed by this Court.

The applicant shall not sell, mortgage, transfer or dispose of the car in question in any manner and shall not make any change in its body, colour, chassis number and engine number.

Before giving interim custody of the car in question to applicant, colour photographs of cabinet size from different clearly angles indicating registration number and other particulars of the tractor in question shall be kept on file and expenses of photographs shall be borne by applicant.

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

Panvel
Date 23/01/2026

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

CERTIFICATE

I affirm that, the contents of this PD.F. file judgment/ order are same, word to word, as per the original Judgment.

Name of Stenographer : S.J.Sheth, (Grade-1)
Name of Court : District Court-1 &
Additional Sessions Court, Panvel
Date of Dictation (direct) : 23/01/2026
Order signed by the PO on : 27/01/2026
Order uploaded on : 28/01/2026