

MHRT010003772023



IN THE COURT OF ADDL. SESSIONS JUDGE, RATNAGIRI.
(Presided by A. M. Ambalkar, Addl. Sessions Judge, Ratnagiri)

Sessions Case No. 15/2023.

The State Of Maharashtra

Prosecution

Vs.

Pandharinath V. Amberkar

Accused

Common Order Below Exh. 123 and 126

(Dictated and delivered in open Court on 27/01/2026)

1. Perused the applications. Say is filed by I.O. Finance Company has not filed its say. Heard Ld. Advocate Shri. Nene for accused applicant.
2. By these applications the applicant the sister of accused submitted that the Thar Vehicle bearing registration no. MH 08 – AX 6100 was seized by police in the present crime number. By the order of this Court said vehicle came to be released in favour of the applicant the sister of accused on executing Supurtnama. The vehicle was in custody of applicant's sister. Some of the installments of loan were due. The Finance Company has taken away said vehicle from the custody of applicant although the applicant informed to the authority of the Finance Company that the vehicle has been given in custody of applicant by imposing terms

and conditions by the Court. As such the Finance Company has committed the contempt of the Court. It is prayed to direct the Finance Company to hand over the custody of vehicle to applicant.

3. The Finance Company appeared and filed its say at Exh.238 and strongly resisted the application. It is submitted that contents of application are false. The borrower Pandharinath Amberkar is in jail and he has not made payment of monthly installments of loan which was obtained for purchasing this vehicle. The applicant has not communicated to the Court that for purchasing said vehicle they have taken loan. As such the applicant/accused suppressed this material fact from the Court. The applicants have not informed about the Court order and have not explained about the conditions imposed by the Court and therefore the Finance Company as per the terms and conditions of the agreement has taken possession of said vehicle. It is prayed to grant permission to sell the vehicle in auction for recovery of loan amount.

4. The record of the case clearly shows that the said vehicle has been released in favour of applicant by imposing terms and conditions to produce the same as and when called by Court during trial. It appears that the Finance Company has taken away said vehicle in contravention of the terms and conditions imposed by the Court while passing the order. Hence, it is necessary to direct the Finance Company to hand over the custody of vehicle to the applicant. Hence, I proceed to pass the following order :-

ORDER

1. Application is allowed.

2. The Mahindra and Mahindra Finance Services Limited Company is hereby directed to hand over the custody of Thar Vehicle bearing registration no.MH 08–AX-6100 to applicant namely Sou.Pratiksha Khadape.

Date : 27.01.2026

(A. M. Ambalkar)
Additional Sessions Judge, Ratnagiri.

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

Case Number		Session case No. 15/2023
Name of Stenographer	:-	Sou. A.A. Shivalkar
Name of Court	:-	Addl. Sessions Judge, Ratnagiri.
Date of Decision	:-	27.01.2026
Order signed by the P.O. on	:-	27.01.2026
Order uploaded on	:-	30.01.2026