

**ORDER BELOW NOTICE BEARING NO.1339/N/2021
IN CR.NO.640/2021 OF VILEPARLE POLICE STATION, MUMBAI.**

Hema Narendra Gaikwad

W/o Late Narendra Anand Gaikwad Applicant.

V/s

The state of Maharashtra

Vileparle Police station, Respondent

ORDER

(Dated 06/01/2022)

- 1) The applicant is seeking custody of Autorickshaw bearing No. MH 02 EQ 6118 (mentioned in the application)

- 2) Investigating Officer has filed his say and strongly opposed. Ld APP has filed his say and he has no objection to return the property.

- 3) The applicant has filed affidavit along-with supporting documents viz copy of FIR, Adhar card, permit, insurance paper & RC book. The documents filed by the applicant shows that seized muddemal is in the name of the husband of the Applicant namely Narendra Anand Gaikwad who was died 07.07.2021. Applicant has also filed death certificate of her husband. Driver of Autorickshaw namely Dilip Kumar Saw has filed his affidavit and given no objection to hand over the possession of seized vehicle to the

applicant. Therefore, considering above discussion, I do not find any justifiable reason to reject the application. Hence, I proceed to pass the following order:-

ORDER

- 1 Application is allowed.
- 2 The applicant shall execute an indemnity Bond of Rs.1,50,000/- and shall undertake that no modification, alteration, or any change shall be made in the above described property till the final disposal of the main case.
- 3 The applicant shall undertake to produce the said property before the Court, as and when directed.
4. Investigation Officer is directed to draw the panchanama and shall also take out photographs while returning the seized property.
- 5 On production of the copy of the release order from this Court, the in-charge of concern Police Station shall release the interim custody of the aforesaid article to the applicant.
- 6 Copy of this order be placed in concern CR.
- 7 Issue release order accordingly.

Dt.06.01.2022

(C. P. Kashid)
Metropolitan Magistrate
65th Court, Andheri, Mumbai.