

S.C. No. 80/2022

State Vs. Islampur police station etc.

ORDER BELOW Exh. 24 :-

01. The applicant Pintu Nivrutti Patil has filed this application to get the custody of seized motorcycle Royal Enfield bearing registration No. MH-10-DM-5700, having Chasis No. ME3U3S5F2LL988615 and Engine No. U3S5F1LL621718, which is seized in Crime No. 321/2022, under section 489(A), 489(B), 489(C), 489(D) R.W. 34 of I.P.C., registered at Islampur Police Station.

02. Ld. A.P.P. filed his Say and has objected to hand over the custody of seized motorcycle to the applicant.

03. Heard advocate for applicant and APP for the State.

04. It is an admitted fact that the Police of Islampur Police Station, seized the motorcycle in crime No. 321/2022. On going through the documents, it appears that the applicant is the registered owner of the seized motorcycle. Copies of R.C. book, Tax Invoice and Insurance are filed with the list Exh. 26. The physical custody of the motorcycle with police is not necessary to conclude the trial. Therefore, there is no reason to keep the seized motorcycle in the premises of police station. It appears that the applicant is in need of said vehicle. Therefore, it is returned to the applicant on following conditions.

:: ORDER ::

1. Application is allowed.
2. Investigating officer or police station officer of Islampur Police Station is hereby directed to hand over the custody of seized motorcycle Royal Enfield bearing registration No. MH-10-DM- 5700, having Chasis No. ME3U3S5F2LL988615 and Engine No. U3S5F1LL621718, seized in Crime No.321/2022, under section 489(A), 489(B), 489(C), 489(D) R.W. 34 of I.P.C., registered at Islampur Police Station to the applicant Pintu Nivrutti Patil.
3. The applicant is directed to furnish a security bond in the sum of Rs. 1,50,000/- (One Lac Fifty Thousand Rupees only).
4. The applicant is directed to produce the vehicle in the court as and when directed.
5. The applicant shall not use the said vehicle in any offence.
6. The applicant is further directed not to change the shape, colour or otherwise the appearance of the vehicle nor to part of its ownership during the pendency of the aforesaid crime.
7. The investigating officer is directed to take the photographs of the said vehicle at the costs of applicant and to produce it on record.

Place : Islampur
Date : 08/11/2022.

(Aniruddha S. Gandhi)
Additional Sessions Judge,
Islampur.

CERTIFICATE

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

Name of the Stenographer	: Shri. Pradip T. Patil (Grade-I)
Court Name	: Addl. Sessions Court, Islampur.
Date of Judgment/order	: 08.11.2022
Signed by P.O. on	: 08.11.2022
Uploaded on	: 11.11.2022