

IN THE COURT OF DISTRICT JUDGE-1/ADDITIONAL SESSIONS
JUDGE, ISLAMPUR

(Presided over by Shekhar C. Munghate)

Sessions Case No. 79 of 2019
(CNRNO.MHSN040009292019)

State of Maharashtra ... Complainant
(CR No.439/2019, police station, Islampur)

Versus

Sunil Mohan Kadam etc. ... Accused

**Application under Section 457 of Criminal Procedure Code for
releasing the vehicle on supratnama.**

ORDER BELOW EXH-19

(Passed on this 06th day of February, 2021)

This is an application filed by accused no.5 Vijay Rajaram Shingare for release of vehicle i.e. Splendor motorcycle bearing registration no.MH-09-AH-7999 under Section 457 of the Code of Criminal Procedure, 1973.

2. Perused application filed by the applicant/accused and say filed by the A.P.P. at Exh.45 for the State. Heard learned Advocate for the applicant and learned A.P.P. for the State. The vehicle in question bearing registration No. MH-09-AH-7999 is claimed to be seized from him for the offence punishable under Sections 363, 364A,

365, 120B r/w 34 of the Indian Penal Code vide crime no.439/2019 of Islampur police station. Applicant/accused is the registered owner of the two wheeler vehicle bearing registration No. MH-09-AH-7999. He has produced the verified copy of registration certificate of the said vehicle. It shows that vehicle i.e. No.MH-09-AH-7999, Chassis no.02K20C05824 and Engine No.02K18M05326 is in his name. Vehicle is lying with Islampur police station since 08-06-2019. As per Judgment of Hon'ble Apex Court in the case of Sunderbhai .vs. State of Gujrat AIR 2003 (SC) 638, vehicle is to be released forthwith. Hence, I proceed to pass the following order, which is conditional one.

ORDER

1. Application at Exh.41 is conditionally allowed.
2. The vehicle- Splendor motorcycle bearing registration no. MH-09-AH-7999 be handed over to applicant/accused, resident of Hatkanangale, District Kolhapur, on following terms and after complying following conditions.
 - i] He shall execute the bond of Rs.50,000/-;
 - ii] He shall not change the colour, nature, body, body parts etc. nor shall dispose of the said vehicle in any way, nor shall create 3rd party interest without permission of this Court, till final adjudication of this trial.
 - iii) He shall produce the vehicle before Court or police without hesitation and forthwith, if directed by the Court.
 - iv) Investigating Officer shall take necessary photographs of the vehicle at the costs of applicant/accused

and shall produce negative and positive copies of this vehicle in this trial. Those positive copies would be counter signed by the applicant/accused.

v) He shall draw the panchnama of said vehicle and file it in this case.

vi) After such compliance, aforesaid vehicle be returned to the applicant

3. Inform the concerned police station accordingly.

Islampur
06-02-2021.

(Shekhar C. Munghate)
DJ-1/Additional Sessions Judge,
Islampur

....

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

Name of Stenographer	:	K.S.Shinde, Steno(Grade I)
Court Name	:	District Judge-1/Addl.Sessions Judge.
Date	:	06-02-2021
Signed by Presiding officer on	:	06-02-2021
Uploaded on	:	06-02-2021