

S.C. No. 52/2024

State Vs. Suresh Narayan Tate etc.

ORDER BELOW Exh. 24 :-

01. The applicant Smt. Nilam Pandurang Shid is a wife of Pandurang Bhagwan Shid. She has filed this application to get the custody of seized motorcycle Splendor Plus CCR registered on the name of his husband Pandurang Shid bearing registration No. MH-10-CG-6070, having Chasis No.MRHA10CGHA25485and Engine No. HA10ERGHHA10412, which is seized in Crime No.149/2024, under section 103(1), 3(5), 61(2) and 238 of BNSS and Section 3, 25, 27 of Indian Arms Act registered at Kasegaon Police Station.

02. Ld. A.P.P filed his Say and given no objection to hand over the custody of seized motorcycle to the applicant on certain conditions.

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

04. It is an admitted fact that the Police of Kasegaon Police Station, seized the motorcycle in crime No. 149/2024, under section 103(1), 3(5), 61(2) and 238 of BNSS and Section 3, 25, 27 of Indian Arms Act. On going through the documents, it appears that the husband of applicant Pandurang Shid is the registered owner of the seized

motorcycle. He is died. Copies of R.C. book, Tax Invoice and Insurance are filed with the list. 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 Kasegaon Police Station is hereby directed to hand over the custody of seized motorcycle Splendor Plus CCR registered in the name of Pandurang Shid bearing registration No. MH-10-CG-6070, having Chasis No.MRHA10CGHA25485 and Engine No.HA10ERG HA10412, which is seized in Crime No. 149/2024, under section 103(1), 3(5), 61(2) and 238 of BNSS and Section 3, 25, 27 of Indian Arms Act registered at Kasegaon Police Station to the applicant Smt. Nilam Pandurang Shid.
3. The applicant is directed to furnish a security bond in the sum of Rs. 50,000/- (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 : 18/12/2024.

(Aniruddha Sulbha Subhash 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 Steno	:	Shri. Pradip T. Patil (Grade-I)
Court Name	:	District Judge-1 & ASJ Islampur.
Date of Judgment/order	:	18/12/2024
Signed by P.O. on	:	18/12/2024
Uploaded on	:	18/12/2024