

ORDER BELOW EXH. 1 IN R.C.C. 256/2018
(State V/s Akshay Kedar)

I have perused application and say filed by A.P.P. On perusal of R.C. book of Tata Truck bearing no. MH-20-CT-7860 appears that applicant is not owner of the said truck. However applicant has filed agreement between himself and owner of the said truck, which discloses applicant has purchased the said truck from its owner. APP has objected application and contended that applicant is used this vehicle in the offence punishable u/s 379 of IPC. Thus upon perusal of application, say of APP as well as documents on record, I comes to the conclusion that if muddemal i.e. truck remained with police station it get decayed and applicant will suffer loss. Therefore I pass following order.

ORDER

- 1] The application is allowed.
- 2] I.O. is directed to deliver Tata Truck bearing No. MH-20-CT-7860 to applicant subject to execution of indemnity bond of Rs. 3,60,000/- (Rs. Three Lakh Sixty Thousand only).
- 3] Applicant is directed not to alienate, mortgage, alter or dispose of the muddemal property until the disposal of case.
- 4] Applicant is directed to produce muddemal property as and when directed by the court.
- 5] I.O. is directed to prepare delivery panchnama.

Miraj.
Date : 24/09/2018

Sd/-
(S. M. Kolekar)
Judicial Magistrate First Class, Miraj.