

State of Maharashtra Through
P.I. Vita City Police Station Vs.Laxmi Pawar @Khadtare

ORDER BELOW EXH.27

1. This application is filed u/s. 503 of the B.N.S.S. for return of Maruti Suzuki car bearing Registration No.MH-12-EG-4028 seized by Vita Police Station, Vita in connection with C.R.No.88/2024 for the offences punishable under section 379 r/w. section 34 of Indian Penal Code.
2. It is contended that applicant is the registered owner of the Maruti Suzuki car bearing Registration No.MH-12-EG-4028. The said vehicle was seized by Vita Police Station, Vita in connection with C.R.No.88/2024. It is further contended by the applicant that the above described vehicle is standing openly in the premises of police station. As the vehicle is lying in the police station in deserted condition it will cause damage and loss to the said vehicle and therefore the applicant is ready to obey the conditions imposed by this Court and prayed to handover the possession of above vehicle by allowing this application.
3. In support of this application the applicant has filed affidavit at Exh.31. The applicant has produced copy of Registration Certificate of the above said vehicle issued by RTO Office on which name of applicant is mentioned as owner.
4. The Ld. A.P.P. for State has opposed said application by filing say on dorsal part of the application. She submitted that the offence is serious in nature, if the vehicle is handed over to the applicant it may be used in similar offence. The applicant may not produce the vehicle when required. Hence she prayed for rejection of application.
5. Considering the documents produced by applicant it

appears that the applicant is the owner of the above said vehicle. The present applicant is entitled for possession of the vehicle. If the said vehicle is kept lying in open premises at police station it may suffer damages. Hence, I proceed to pass following order :-

ORDER

A.	The application is allowed.
B.	The Maruti Suzuki car bearing Registration No.MH-12-EG-4028, Engine No.F10DN3284769, Chassis No. MA3EMD81SOO159553, be returned to the applicant till the conclusion of the trial on executing indemnity bond of Rs.1,50,000/- (Rupees One Lakh Fifty Thousand Only).
C.	The applicant shall not sell or transfer the said vehicle without the prior permission of the Court and shall maintain and preserve the said vehicle in all respects.
D.	The applicant shall produce the said vehicle in the Court as and when directed and he shall not change the nature of the said vehicle in any manner.
E.	The I.O., Vita City Police Station is directed to take the photographs of the said vehicle and prepare the panchnama in presence of two respectable panchas at the time of handing over the said vehicle to the applicant.
F.	The I.O, Vita City Police Station is also directed to produce the relevant record i.e. Bond, panchnama and photographs and receipts in this case.

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Date : 13.02.2025**Place : Vita.****(Rafeeqe A. Shaikh)****Judicial Magistrate First Class, Vita**