

Order below Exh. 1 Criminal Misc. Application No. 9/2026
(Sandip Mohan Mohite Vs. State of Maharashtra)
(CNR No. MHSN170001672026)

This application is filed by applicant Sandip Mohan Mohite with a prayer to return two wheeler Royal Bullet bearing registration No.MH-10/DU-7473 bearing chasis no.ME3U3S5F1MM973627, Engine No.U3S5F1MM167172 which is seized by police station Kundal in Cr. No.46/2026 under Section 118(1), 352, 351(2), 351(3) of B.N.S., section 3(1)(r), 3(1)(s), 3(2)(va) of Atrocities Act and section 184 of Motor Vehicles Act.

2. It is contended, the applicant is owner of seized motorcycle and he is in need of said two wheeler for his daily work. Said motorcycle was seized by police station Kundal in crime no. 46/2026. It is contended, the motorcycle is lying in the police station, Kundal without having any facility of shelter in the premises of the police station. If the motorcycle is not released, it will loss functioning quality of the motorcycle or cause damage to part of motorcycle. The applicant is ready to abide conditions imposed by the Court.

3. I.O. has filed say below Exh.7 and prayed to reject the application stating that the accused/applicant has committed serious offence like atrocity. If the vehicle is released, the applicant will use it for illegal purpose and will alienate it. He will not produce said motorcycle during the trial, if released.

4. The complainant has filed say below Exh.8 and has given

no objection to return the seized vehicle to the applicant.

5. Heard both sides. Gone through record.

6. Perusal of R.C. Book of vehicle, it seems that applicant is owner of seized two wheeler bearing registration No. MH-10/DU-7473. The said vehicle needs to the applicant for daily work. It appears from record that during investigation, the investigating officer seized motorcycle bearing registration No. MH-10/DU-7473. The applicant has produced verified copy of his Aadhar Card.

7. Learned APP has taken formal objection. If the condition imposed on the applicant to produce seized vehicle as and when ordered by the Court at the time of commencement of trial, the purpose will suffice.

8. Further, it appears no one other than the applicant has applied for returning of said vehicle. The complainant has given no objection to return said vehicle to the applicant. Record shows, applicant is the owner of alleged seized motorcycle. In these facts and circumstances applicant being owner of the alleged seized vehicle has filed this application to get seized vehicle.

9. Mere keeping the seized vehicle at abeyance for more time in the police station may cause damage to its machinery. The motorcycle will rust. The police has not stated that, there is facility to safeguard the seized vehicle in the police station. Therefore, considering reason in the application, I inclined to return the seized vehicle to the applicant by imposing certain conditions. Accordingly, I

pass the following order -

:: ORDER ::

01] The seized motorcycle Royal Bullet bearing registration No.MH-10/DU-7473 bearing chasis no.ME3U3S5F1MM973627, Engine No.U3S5F1MM167172 seized by Police Station Kundal, Dist. Sangli in its Cr. No.46/2026 under section 118(1), 352, 351(2), 351(3) of B.N.S., section 3(1)(r), 3(1)(s), 3(2)(va) of Atrocities Act and section 184 of Motor Vehicles Act be returned to applicant Sandip Mohan Mohite R/o. Ghogaon, Tal. Palus, Dist. Sangli on his furnishing indemnity bond of Rs.1,50,000/-.

02] Applicant is also directed to produce the seized vehicle as and when ordered by the Court. He is further directed not to alienate, gift, transfer, mortgage, hypothecate the said vehicle or change it's identity.

03] Investigating Officer is directed to take photographs of the seized vehicle by preparing detailed panchnama and to submit the same before the Court.

04] Indemnity bond be executed before P. S. Kundal, Dist. Sangli.

Vita
dt. 09.04.2026

(Usha V. Indapure)
Additional Sessions Judge,Vita.