

MHSO050010072024



IN THE COURT OF SPECIAL CASE (POCSO) JUDGE, PANDHARPUR
Special Case (POCSO) No.33/2024

Order Below Exh.11

The State of Maharashtra ... Complainant
(Through Police Station Officer
Mangalwedha Police Station - C.R.
No.320/2024)
Vs.

Dharyappa Sadashiv Jirankalagi ... Accused

Appearance

Mr. K. B. Dharurkar, Ld. Advocate for the applicant
Mr. Wangikar Ld. APP for the Respondent / State

(ORAL ORDER)
(Dictated and pronounced in the open Court)

1 This application is filed by applicant Dharyappa Sadashiv Jireankalgi under Section 503 of BNSS for releasing of motorcycle Honda company make Shine bearing No.MH-13-DZ-9167 two wheeler (Chasis No.ME4JC85EHND170748) and Engine No.JE85ED2268805 which was seized in C.R. No.320/2024 by Mangalwedha police station, for the offence punishable under Sec.363, 376(2)(N) of IPC and Sec.4, 6, 8, 12 of POCSO Act. The applicant is registered owner of the vehicle and said vehicle is seized in aforesaid crime. The applicant is ready to abide the terms and conditions imposed by the Court if the vehicle is returned to him. Hence, applicant prayed that the motorcycle seized by police be returned to him on condition.

2 Learned APP filed say vide Exh.14 and resisted the application on the ground that if the property is returned to the applicant, then he will change its nature and there is possibility of sale of the vehicle. There is no

document to show his ownership upon vehicle. There is possibility of creating third party interest by the applicant. Lastly, the learned APP prayed to reject the application.

3 Heard learned advocate for applicant Shri. Dharurkar and learned APP for state Shri.Wangikar. Perused the contents of application and say filed by the learned APP and I.O. By this application the applicant has prayed for return the motorcycle seized by police in connection with CR No.320/2024 registered with Mangalwedha Police Station.

4 It is not dispute that the present applicant is accused in the said crime. The applicant has filed documents on record below Exh.13. Copy of RC book, insurance cover note are placed on record which shows that the applicant is registered owner of the motorcycle involved in the crime. He also filed his adhar card copy. Thus documents show that the applicant is registered owner of the vehicle. No other person has claimed custody of vehicle. If the vehicle is kept at police station, then it will be rusted or damage will be caused to it. Therefore, I am of the view that vehicle needs to be returned to the applicant on conditions. Hence, I proceeded to pass following order.

ORDER

- 1 The application Exh.11 is allowed.
- 2 The two wheeler Honda company make Shine bearing No.MH-13-DZ-9167 two wheeler (Chasis No.ME4JC85EHND170748) and (Engine No.JE85ED2268805) seized in C.R. No.320/2024 by Mangalwedha police station be given in the custody of the applicant namely Dharyappa Sadashiv Jirankalagi subject to conditions that -
 - a The applicant shall execute Indemnity Bond of Rs.50,000/-(Rs.Fifty thousand only) and submit it before the investigating officer.
 - b The applicant shall not change the nature and identity of the said vehicle in any way till conclusion of the trial.

- c The applicant shall not create third party interest in the vehicle in any manner till conclusion of the trial.
- d The applicant shall not use the vehicle or let it be used in any crime.
- 3 The Investigating Officer is directed to obtain photographs of the said vehicle in question for its proper identification showing its condition as on the date of giving it to the applicant.
- 4 The concerned officer of police station / Investigating officer shall prepare detailed panchanama of the proceedings before handing over the vehicle in question to the applicant.
- 5 Application Exh.11 is disposed off.

(A. S. Salgar)

Date – 14.11.2025

Additional Sessions Judge, Pandharpur

CERTIFICATE

I am affirm that the contents of this P.D.F file order are same, word to word, as per the original order.

Name of Stenographer	: S.A.B. Shaikh, Steno
Court	: Addl. Sessions Judge, Pandharpur
Order of Date:	: 14.11.2025
Order signed by the	
Presiding Officer.	: 14.11.2025
Order uploaded on	: 15.11.2025