



Order Below Exh.206

1 This application is filed by accused No.1 Tanaji Baliram Bhosale under Section 451 of the Cr.P.C. for releasing of two wheeler bearing No.MH-13-BE-1269, chasis ME4KCO9CCC8224980, Engine No.KCO9E6230785, Unicorn was seized in C.R. No.369/2019 by Mangalwedha police station, Mangalwedha.

2 The learned APP filed say overleaf and strongly objected the application alleging that vehicle is seized in serious offence under panchanama. There is possibility of changing the nature of vehicle or transferring or selling it.

3 The learned advocate for applicant / accused submitted that the applicant is registered owner of the said two wheeler and it is lying in open space at police station due to which it may caused damage to the machinery. He is in need of vehicle for his daily use. He is ready to obey the conditions imposed by the Court while releasing the vehicle. On the other hand learned APP prayed for rejection of the application.

4 As per record, it seems that the present vehicle is seized by police. The applicant supported application with his affidavit and filed verified documents i.e. RC book and his Adhar Card which shows that he is the owner of the vehicle. The said vehicle seized from the accused in CR No.369/2019 registered with Mangalwedha police station. Since then, said vehicle is lying idle and unattended in the police station. The charge-sheet is filed vide SC No.96/2019 pending before this Court. The applicant is ready to abide by the conditions that may be imposed by this Court. If the two wheeler in question is remained abandon in the police station, there is every possibility that, due to non-use, the vehicle will get damaged. Under

these circumstances, it is not desirable to keep the wheeler in idle condition in the police station. So far as, objection of learned APP is concerned, it can be taken care of by imposing certain conditions. Hence, I pass following order.

ORDER

- 1 The application Exh.206 is allowed.
- 2 The two wheeler motorcycle bearing No.MH-13- BE - 1269, chasis ME4KC09CCC8224980, Engine No.KCO9E6230785, unicorn vehicle seized in Crime No.369/2019 registered with Mangalwedha police station, be given in the custody of the applicant / accused namely Tanaji Baliram Bhosale subject to conditions that -
 - a The applicant / accused shall execute Indemnity Bond of Rs.1,00,000/-(Rs.One lakh only) and submit it before this court.
 - b The applicant / accused shall not change the nature and identity of the said two wheeler in any way till conclusion of the trial.
 - c The applicant / accused shall not create third party interest in the two wheeler in any manner till conclusion of the trial.
 - d The applicant / accused shall produce the said motorcycle as and when required and ordered by the Court.
 - e The applicant / accused 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 / accused.

- 4 The concerned officer of Mangalwedha police station / Investigating officer shall prepare detailed panchanama of the proceedings before handing over the two wheeler in question to the applicant / accused.
- 5 The application Exh.206 is disposed off.

	(D. N. Surwase)
Date – 21.06.2024	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: : 21.06.2024

Order signed by the
Presiding Officer. : 21.06.2024

Order uploaded on : 24.06.2024