


MHSO200000732026 	<b>R.C.C.No.08/2026</b> <b>State of Maharashtra Vs. Yogiraj Mohotkar</b>
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**ORDER BELOW EXH. 19**

- 1) This application is filed by the applicant Sarojini Sanjay Mohotkar under Section 497 of the BNSS.
- 2) As per application the Police Station, Sangola has seized her Honda Unicorn Motorcycle bearing registration No. MH-11-DM-9986 in Crime Registration No.837/2025. The applicant stated that, she is legal owner of the vehicle. It will take long time for decision of the case. Therefore, if the vehicle remains idle in the custody of police station, then there is possibility of causing damage to its parts and of causing economical loss. Vehicle is necessary for her regular use. Therefore, the applicant has filed present application for the interim custody of the above said vehicle. In support of the application she has filed her affidavit, copy of Aadhar Card, copy of R.C. Book.
- 3) The description of the vehicle is as under:  
Model : December 2023  
Registration No. : MH-11-DM-9986  
Chassis No. : ME4KC404KPA066469  
Engine No. : KC40EA3066437
- 4) The learned APP filed his say at Exh.25 and stated that, application is false one. Vehicle is seized from the custody of the accused namely Vaibhav Arjun Dhere. If vehicle be released there is possibility of change or sale of the vehicle. Therefore, she

prayed for rejection of the applicaiton.

5) Perused application, affidavit and documents on record and say filed by learned APP.

6) Heard learned Advocate for the applicant and learned APP for the prosecution.

7) Perusal of record reveals that, applicant is registered owner of the above said vehicle. Also, it is submitted by the applicant that, she is ready to abide all conditions imposed by this Court. Considering facts of the matter no purpose would be served by keeping vehicle in unattended condition at Police Station. If vehicle remains idle at Police Station, then there is possibility of getting it damaged. So there is no reason to reject present application and more particularly in view of the law laid down by the Hon'ble Apex Court in the case of *Sunderbhai Ambalal Desai V/s State of Gujrat*, there is no use to keep seized properties at Police Station for long period and appropriate order needs to be passed immediately regarding return of property by taking appropriate bonds as well as security for return of the property, if required at the time of trial. In the result, following order is passed:

### **ORDER**

1. The Application is allowed.
2. Police Inspector, Police Station, Sangola is hereby ordered that, after due verification of identity of the applicant namely Sarojini Sanjay Mohotkar to handover interim custody of vehicle i.e. Honda Unicorn Motorcycle bearing registration No. MH-11-DM-9986, Chassis No.

ME4KC404KPA066469 & Engine No. KC40EA3066437  
on executing indemnity bond of Rs. 50,000/- (Rs.Fifty  
thousand only) subject to following conditions ;

- i) She shall not sell, transfer or create third party  
interest upon the vehicle without prior permission  
of this Court;
  - ii) She shall not change the colour and nature of the  
vehicle;
  - iii) She shall produce the said vehicle as and when  
ordered by the Court;
3. Inform Police Station, Sangola accordingly.
  4. It is directed to Police Officer that, he shall produce  
photographs of the said vehicle from all angle and a  
detail panchnama should be prepared before vehicle  
release;
  5. Application is disposed off accordingly.

Date:- 02/06/2026

(Smt.A.A.Patil)  
Judicial Magistrate, F. C.,  
Sangola

**:: CERTIFICATE ::**

“I affirm that the contents of this PDF file are word to word as per original Judgment/order”.

Sd/-

(Smt. S.S.Kolekar)

Steno Grade-III

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|-----|---------------------|--------------|
| (a) | Dictated on         | : 02/06/2026 |
| (b) | Transcribed on      | : 02/06/2026 |
| (c) | Checked & signed on | : 02/06/2026 |