


MHSO200003352026 	<b><u>CRI. MISC. APPLN. NO. 54/2026</u></b> (Chandrashekhar Naik Vs. State)
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**ORDER PASSED BELOW EXH. NO. 01**  
**(E Filing No. AMH20230058092C202600001)**

This is an application filed U/Sec. 503 of the Bharatiya Nagarik Suraksha Sanhita for releasing his vehicle bearing registration No. KA-23-A-9905, Chassis No. MA1ZP2TBKG2J63392, Engine No. TBG4J76543 in the interim custody of applicant. Said vehicle is seized by Sangola Police Station in C.R. No. 117/2026. The applicant stated that, if the property remains idle in the custody of police station then there is possibility of causing damage to its parts and of causing economical loss. Property is necessary for his regular use. Therefore, prayed for its release.

2. Investigation Officer filed his say (Exh. 07) and submitted that, investigation of the crime is still in progress. If seized property is handed over to the applicant, then there is possibility of alteration or sale or destruction of the seized property. Hence, prayed for rejection of application.

3. Ld. APP filed her say (Exh. 06) and submitted that, application is false. If custody of seized property is handed over to the applicant, then there is possibility of use of said seized property for committing similar kind of offences again. If seized property is released

then there is possibility of alteration or sale or destruction of the seized property. Hence prayed for rejection of the application.

4. Heard. Perused the record. Applicant has produced verified copy of RC book issued in the name of applicant, copy of F.I.R., verified copy of applicant's Aadhar card. Hence, it appears that, applicant is the owner of seized vehicle. No other person than applicant has claimed the right of ownership over the seized vehicle. He is ready to follow all the conditions which is imposed by this Court. Considering the fact that the property belongs to the applicant, it appears that no purpose would be served by keeping the property in unattended condition at Sangola Police Station. Thus, 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 property at Police Station for long period and appropriate order needs to be passed immediately regarding return of property.

5. Furthermore, the applicant filed affidavit at Exh. 08 and submitted that, seized cattle from his vehicle were belonged to Manjunath Shrinath Rajmane and Ramchandra Annappa Shinde who respectively filed Cri. M.A. Nos. 45/2026 and 51/2026 for the return of seized cattle which is handed over in the custody of Shrinath Gaushala, Bamani. Said applications were allowed. He filed receipt along with list Exh. 10 issued by the Shrinath Gaushala, Bamani of the maintenance charges paid by the Manjunath Shrinath Rajmane. Upon perusal of said receipt it appears that, the concerned Gaushala has received the maintenance amount towards four seized bulls handed over in C.R. No.

117/2026. Upon perusal of F.I.R. in C.R. No. 117/2026 it reveals that, four bulls were seized from the vehicle of applicant Chandrashekhar Maruti Naik. In view of above discussion, considering the affidavit filed by the applicant, the receipt of the maintenance charges paid to the concerned Gaushala, it appears that, the maintenance charges of the seized bulls to the concerned Gaushala has been paid by the respective owners of the bulls which was the joint and several liability of the bull owner as well as the owner of the vehicle. In the result, there is no impediment for the release of the vehicle to the entitled person. Hence, I pass the following order :

**ORDER**

1. The application is allowed.
2. The interim custody of seized vehicle bearing registration No. KA-23-A-9905, Chassis No. MA1ZP2TBKG2J63392, Engine No. TBG4J76543 is granted in favour of the applicant namely Chandrashekar Maruti Janvad @ Naik upon his producing Indemnity bond of Rs. 5,00,000/- (Rs. Five Lakhs Only).
3. The applicant to undertake that, he shall not sale or transfer above mentioned vehicle without prior permission of the Court.
4. The applicant to preserve & maintain the vehicle in all respects and shall not hire the same for illegal purposes.
5. The applicant shall produce the vehicle in the Court as well as before Investigating Officer as and when required.
6. The investigating officer is hereby directed to prepare a detail panchanama of the seized vehicle and to take at least four photographs from each side of seized property and certified copies of photographs be kept along with the original case papers.
7. The investigating officer is directed to hand over the seized vehicle to the applicant after verifying the valid insurance of the seized vehicle.
8. The applicant is directed not to use the said vehicle for the

purpose to commit any offence and also not to hand over the same to anyone who will use the same for the commission of any offence.

9. Record and proceeding of this application be kept along with the original case i.e. C. R. No. 117/2026 of Sangola Police Station.
10. The applicant is directed to place all the relevant documents of the said seized vehicle before the concerned investigating officer.
11. The present order shall be subject to the examination of said seized vehicle by the concerned R.T.O.
12. If any one claimed right of ownership regarding the said seized vehicle then the applicant will be responsible for the consequences arising out of it.
13. Inform concerned police station accordingly through official e-mail ID.
14. The proceeding is completely filed online, therefore, I.O. is further directed to mention about this proceeding in the Charge-sheet.

Date : 17/03/2026.

**(S. S. Salunkhe)**  
Judicial Magistrate F.C.  
Court No. 3, Sangola,

**CERTIFICATE**

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

Name of Stenographer	V. A. Dange
Name of Court	J.M.F.C., Court No. 3, Sangola
Date of Dictation	17/03/2026
Order signed by the PO on	17/03/2026
Order uploaded on	17/03/2026