

Order below Exh.06 in Sessions Case No. 150 of 2020.

This is an application for return of property filed under section 451 of Code of Criminal Procedure, 1973. According to the applicant, the police have seized Mahindra Thar Vehicle bearing No. MH/11/BH-5322. The accused is arrested in crime No. 337/2020 of Satara Taluka Police Station. He owned one Hotel. For the purpose or transporting of daily food grains, vegetables and other necessary material the vehicle is required. The vehicle is Diesel vehicle. It is lying at Taluka Police Station . Hence it is prayed that the custody of the vehicle be given to the applicant.

02] Ld. A.P.P. for the State has resisted the application by filing say at its overleaf. It is stated that the said vehicle is used in commission of crime. In case of release of the vehicle the applicant may use the vehicle for same activities. Hence it is prayed to reject the application.

03] Heard Ld. Adv.Shri. Kadam for the applicant and Ld. A.P.P Shri. Oak for the State. Perused the record. R.C.Book of the vehicle would show that it is standing in the name of Dayanand Anandrao Godse i.e. present applicant. Thus, the applicant is registered owner of the vehicle in question. The perusal of the charge-sheet would show that it is seized from the applicant/accused. Nobody has claimed the custody of he vehicle. In such circumstances, this Court has come to the conclusion that no

purpose will be served by keeping the vehicle idle at police station. Hence I pass the following order.

ORDER

- 01] The application is allowed.
- 02] The interim custody of the vehicle in question i.e. Mahindra Thar bearing No. MH/11/BH-5322 be given to the applicant by executing indemnity bond of Rs.15,00,000/- (Rs. Fifteen Lakh).
- 03] Proper panchanama of the vehicle be prepared before handing over its custody to the applicant.
- 04] The photographs be also taken before releasing the vehicle.

Satara.
Date: 17/12/2020

(S.R.Pawar)
Addl. Sessions Judge, Satara.