

CNR NO.MHST120002032026



ORDER BELOW EXH. 01 IN CRI. M. A. No. 13/2026

(Passed on 07/03/2026)

Present application is filed under Section 497 of Bhartiya Nagarik Surkhash Sahintha for custody of two wheeler motorcycle i.e. Royal Enfield company's black color Bullet 350 bearing Registration No. MH-45-BA-9563, engine no. J3A5FMR2054589 and chassis no. ME3J3B5FNR2000008 seized by police in crime No. 44/2026 registered with Mhaswad Police Station, Tal. Man, Dist.Satara.

(2) It is contended that applicant is owner of the said vehicle and police has seized the aforesaid vehicle during the course of investigation. The investigation of crime is completed and there is no need of vehicle for the purpose of further investigation. It is further contended by the applicant that he is ready to comply the conditions imposed, if any, and also undertake not to sell the said motorcycle without prior permission of the Court.

(3) Applicant has relied upon the certified copy of F.I.R. of crime No. 42/2026, verified copy of R. C. book. Investigation officer has taken objection to released the said vehicle. Learned A.P.P. filed his reply over the leaf of application requesting to reject the present application. It is the contention of I. O and learned A.P.P that the application may kindly be rejected.

(4) Heard learned Advocate Smt.S.J.Raut for applicant and learned A.P.P. Mr. Y. J. Channe for opponent/State.

(5) Perused the verified documents filed along with list Exh. 3. On perusal, it appears that the said vehicle is registered in the name of present applicant. Therefore, applicant appears to be the owner of the vehicle. As there is no dispute about the ownership of seized muddemal, it is desirable to return it to applicant as owner. There is no claimant except the applicant.

(6) Considering the facts and nature of the offence. I am of the view that, the vehicle is no more required for the investigation purpose. If the vehicle allowed to be retained at the police station without any care and subjected to rain and sun, it's condition will deteriorate. Hence, considering the above discussed aspects, in my considered opinion, the applicant is entitled for interim custody of vehicle. Hence, I proceed to pass following order.

ORDER

- (1) Application is allowed.
- (2) The seized two wheeler motorcycle i.e. Royal Enfield company's black color Bullet 350 bearing Registration No. MH-45-BA-9563, engine no. J3A5FMR2054589 and chassis no. ME3J3B5FNR2000008 seized by police in crime No. 44/2026 registered with Mhaswad Police Station, Tal. Man, Dist.Satara. be released in favour of applicant Dhondiram Dashrath Salunkhe on his executing bond of Supurtnama (Indemnity Bond) of Rs.2,00,000/- **(Rs. Two Lakh only)** before Investigating officer with following conditions :-

- (a) He shall not dispose of the vehicle by transfer, mortgage, sale or by any other means.
 - (b) He shall produce the vehicle as and when required by the Court during the trial.
 - (c) He shall not change the color, nature of the vehicle.
- (3) Asst. Police Inspector, Mhaswad Police Station is directed to prepare the condition panchnama of vehicle and take its photographs prior to release the same and counter signed by the applicant at applicant's cost and submit it on record.
- (4) Copy of this order be attached with remand paper/charge-sheet.

Mhaswad
Date: 07/03/2026

(S. S. Salunkhe)
Judicial Magistrate F.C.,Mhaswad
Tal.Man, Dist.Satara.