

CNR No. MHST140009312026

Criminal M. A. No. 84/2026

Krupal Talkute Vs. State

ORDER BELOW EXH. 1 IN CRIMINAL M. A. No. 84/2026

1. This is an application filed by the applicant Krupal Shripad Talkute for grant of custody of Honda Shine Motorcycle bearing registration No. MH-11 B.T. 9490, chasis no. ME4JC36NKE7122190 and engine no. JC36E73742204 which is seized by, Police Station Phaltan City in Crime No. 109/2026 in connection with the offence punishable under sections 303 (2) of B.N.S.

2. It is the contention of the applicant that, he is owner and possessor of above said vehicle. Further, vehicle is necessary for his daily work and if the vehicle is kept stationary, it would cause damage. Accordingly, it is submitted by the applicant that custody of the vehicle be handed over to him.

3. The learned APP has filed say and contended that the above said seized vehicle be handed over to the complainant of terms and conditions. The I.O. has filed say and contended that vehicle be handed over on terms and conditions.

4. Perused the record. The applicant has on oath contended that, he is the owner of above said motorcycle. Further, he has filed verified copy of R.C. Book, copy of FIR, and verified copy of Aadhar card. Further, from the R.C. Book it is evident that the present applicant is the owner of above vehicle. FIR shows that, said vehicle was been stolen and hence the present applicant has lodged the report. The say of I.O. shows that vehicle is seized in present crime. So considering the submissions and documents filed on record it becomes *prima facie* clear that, the applicant is the owner and possessor of Honda Shine Motorcycle bearing registration No. MH-11 B.T. 9490, chasis no.

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ME4JC36NKE7122190 and engine no. JC36E73742204.

5. Considering the nature of crime and the fact that, above vehicle is automobile, if the vehicle is kept stationary it will diminish its value. So no purpose will be served by keeping the vehicle lying with the police. So, I am of the view that, it would be proper to hand over the custody of the aforesaid vehicle to the applicant on certain terms and conditions to secure the presence of vehicle. Hence, following order -

ORDER

1. Application is allowed.
2. Applicant to execute Suprutnama bond of Rs.1,00,000/- (Rs. One lakh only) with incorporating the following terms and conditions :-
 - a) Applicant to keep the Honda Shine Motorcycle bearing registration No. MH-11 B.T. 9490, chasis no. ME4JC36NKE7122190 and engine no. JC36E73742204 in proper condition and not to dispose of it in any manner.
 - b) Applicant to produce above vehicle as and when directed by the Court.
 - c) The investigating officer is hereby directed to obtain photographs of the above said vehicle alongwith the detail panchnama while handing the custody of the property to the applicant.
 - d) Investigation Officer is directed to produce photographs, panchnama, alongwith chargesheet as the case may be.

Place : Phaltan

Date : 04/06/2026

(V. S. Wagh)

Judicial Magistrate First Class,
Phaltan, Dist. Satara.