

MHST140011322026



**Order Below Exh. No.1 in Cri. M.A. No. 90/2026
(Santosh Babasaheb Madane V/s. State)**

Applicant Santosh Babasaheb Madane has filed this application to release vehicle i.e. Hero Motocorp Ltd., Splendor, registration No. MH-53-8249, Chasis No. MBLHAW474S9F01047, Engine No. HA11F6S9F22001 seized by Rural Police Station, Phaltan in Crime No.190/2026 for the offence punishable under Section 103(1), 3(5) of Bharatiya Nyaya Sanhita, 2023. The applicant has claimed the interim custody of vehicle i. e. Hero Motocorp Ltd., Splendor as an owner. A.P.P. and I.O. have filed their say and given no objection to give the said vehicle to the applicant on certain terms and conditions.

2. Heard. Learned Advocate for applicant and learned A.P.P. for the State. I also gone through documents produced by applicant. The applicant produced on record copy of Aadhar Card (Exh.9), verified copy of R. C. book of said vehicle (Exh.8) and certified copy of F.I.R.(Exh.10). The Copy of R. C. book shows that, the applicant is the registered owner of the said vehicle. Record shows that, the vehicle was used by deceased Somnath Jadhav at the time of incident. Therefore, say of relative of deceased is called. The father of deceased namely Sandeep Jadhav is appeared before the Court. He has filed affidavit at Exh.12 and given no objection hand over the custody of motorcycle in favour of applicant.

3. Record shows that investigation almost completed. The custody of vehicle did not required for investigation. If vehicle

remains in the custody of police, there is possibility of degradation, loss and damages to vehicle. Considering the documents produced by applicant, I found no hurdle to give interim custody of Hero Motocorp Ltd., Splendor, registration No. MH-53-8249, on Supurtnama to applicant with certain conditions. Hence, I pass the following order.

ORDER

1. Application is allowed.
2. The vehicle i. e. Hero Motocorp Ltd., Splendor, registration No. MH-53-8249, Chasis No. MBLHAW474S9F01047, Engine No. HA11F6S9F22001 be released in favour of applicant namely Santosh Babasaheb Madane on execution of Indemnity/Supurtnama bond of Rs.80,000/-(Rupees Eighty Thousand only).
3. The applicant shall not sale, transfer or dispose off or create any charge over the said vehicle till the final decision of this case.
4. The applicant shall not cause any change in or material alteration in the said vehicle till the disposal of this case.
5. The applicant shall produce the said vehicle in the Court as and when directed by the Court.
6. The concern police officer of Rural Police Station, Phaltan shall prepare the detail Panchanama as to the condition of vehicle before it is released to the applicant and he shall obtain colour photographs from different angles of the vehicle at the costs of applicant and produce the same in the Court.

Phaltan
Date : 04.06.2026

(A. S. Satote)
Judicial Magistrate First Class, Phaltan
(Court No. 3)