

**Order below Exh.24 in Sessions Case No. 20/2025
State of Maharashtra Vs. Eknath Mohite etc.**

The applicant Shubham Sanjay Wakase has filed this application under Section 497 of the Bhartiya Nagarik Suraksha Sanhita 2023 (B.N.S.S.) for interim custody of the vehicle Maruti Swift VDI car bearing no. MH-14/JA-3785, Chassis no. MBHCZC03SKL511503 and Engine no. D13A-3562671 by contending that he is the registered owner of the said vehicle. The said vehicle has been seized in C.R.384/2024 registered for the offence punishable under Section 109, 140(1)(2) read with Section 3(5) and under Section 3(2)(v) of the S.C. and S.T. (Prevention of Atrocity) Act. The applicant has no concern with the said crime. The said vehicle is in daily use. There is every possibility of causing damage to it, if it is kept in open premises of the police station in unused condition.

2. The Investigation Officer filed reply vide Exh.32 and resisted this application by contending that if the vehicle is released then the possibility of misuse and using the vehicle in commission of any other offence, making changes in the vehicle, cannot be ruled out. Hence, urged to reject the application.

3. Notice of this application is served upon the de-facto informant, however, he didn't appear and taken any objection.

4. Heard the Ld. Advocate appearing for the accused and the Ld. A.P.P. appearing for the prosecution.

5. On perusal of the verified copy of the registration certificate produced with Exh.19, it appears that the applicant is the registered owner of this vehicle. On perusal of panchnama dated 09.04.2025, it further appears that this vehicle has been

seized in this crime.

6. Being registered owner the applicant has sought interim custody of this vehicle. The applicant is entitled for interim custody. Nothing will be achieved by keeping the vehicle in open premises. So far as the apprehension of the Investigating Officer is concerned, necessary conditions can be imposed upon the applicant. Hence, the following order.

ORDER

1. The application is allowed.
2. The vehicle Maruti Swift VDI car bearing no. MH-14/JA-3785, Chassis no. MBHCZC03SKL511503 and Engine no. D13A-3562671 be given in the interim custody of the applicant on executing indemnity bond of Rs.10,00,000/- subject to following conditions.

(i) The applicant shall not alienate, transfer or dispose of the vehicle till final disposal of the case and to produce in the Court as and when ordered.

(ii) The Investigating Officer to take four clear photographs of the vehicle from all four sides in presence of panchas, drew panchnama about its condition in presence of panchas and submit all these documents before this Court.

Wai
Dt: 18.10.2025

(D.B.Mane)
Addl. Sessions Judge
Wai.