

IN THE COURT OF JUDGE, SPECIAL COURT, WAI
Special Case No. 41/2023
(State Vs. Vitthal Ankush Kolape etc.)

ORDER BELOW EXH.91
(Passed on : 09.06.2026)

By this application, accused **Sandip Sopan Yele** has prayed to release the vehicle i.e. two-wheeler seized in the crime.

2] It is submitted that, accused is having two-wheeler bearing registration No. MH-12-SZ-9421, which is seized by the Investigating Officer during course of investigation. The said vehicle is lying in the premises of Police Station. If it is not released, then its spare-parts etc. will be damaged in the rain and because of natural calamities. If vehicle is released, no any harm would be caused to the prosecution and therefore, he prayed to release the vehicle. Hence, this application.

3] Ld. APP resisted the application by filing say at Exh.98 and submitted that offence is serious one and the vehicle is purchased by the accused from the money which he has misappropriated. If vehicle is released, then it will be injustice with the investors and therefore, he prayed to reject the application.

4] Perused the application and say. Heard both sides. According to accused, he is registered owner of the vehicle and the vehicle has no concern with the alleged crime and therefore, he prayed to release it. Ld. APP has come with the case that it is purchased from

the amount misappropriated by the accused. But it is a part of evidence and at this stage, it cannot be concluded that the vehicle is purchased from the amount misappropriated by the accused. Moreover, this Court is going to release the vehicle temporarily and not permanently. Condition can be imposed upon the accused for production of the said vehicle. Moreover, there are other co-accused in this case and from them also, some vehicles were seized by the I.O. and same are released on bond. Therefore, on the ground of parity also, vehicle is to be released. Important thing is that, accused has produced copy of Smart Card (R.C. Book), which discloses that he is registered owner and therefore, there is no hesitation to release the vehicle. Accordingly, order.

ORDER

- 1) Application is allowed and motorcycle of Royal Enfield bearing registration No. MH-12-SZ-9421 is released on condition to execute a bond of Rs.1,50,000/-.
- 2) Accused is directed not to sell, transfer or alter the vehicle till the conclusion of trial and also directed to produce the vehicle before this Court, as and when ordered.
- 3) Inform to I.O. accordingly.

Wai.
Date : 09/06/2026.

(B.D.Kadam)
Judge, Special Court (under
MPID Act), Wai