

MHTH170004502026



Order Below Exh.1 in O.M.A.No.49/2026
(Vinod Sitaram Vs. State Of Maharashtra Boisar Police Station)

(1) The present application is preferred by the Applicant Vinod Sitaram *vide* Section 503 of BNSS for release of property being vehicle TATA MOTORS LTD TATA ZEST XMS RT 90PS bearing registration number MH-16-BH-1237, engine No. REVTRN01NVYP47756, chassis No. MAT623227ELN30551 (hereinafter "*said muddemal*") seized in C.R.No.579/2025 (hereinafter "*said C.R.*") registered with the Boisar police station, for the offence punishable under Sections 316(4), 317(2), 3(5) of the BNS. He is accused No.1 in the said crime. Say of Investigating Officer (I.O.), Ld. A.PP and accused was called for. Seizure panchanama was called.

(2) Perused Application and the documents tendered i.e. photocopy of remand report, photocopy of RC Book, online copy of insurance paper, verified copy of Aadhaar Card. Perused say of I.O. Perused say of Ld. A.PP Shri. R.B.Sankhe. Perused say of accused. Heard Ld. Advocate for the Applicant and Ld. A.PP for the State.

(3) *Vide* the present application, it is submitted that, the Applicant is the owner and possessor of the said vehicle. That, applicant is dependent on the said vehicle for his personal purpose. That, if the said vehicle is left unused, it will be subject to decay and wastage. That, he will abide by the conditions. Hence, it is prayed that, the present application may kindly be allowed.

(4) Ld. A.P.P. has submitted that, the said seized vehicle was purchased from the proceeds earned from the theft. The seized vehicle is the part of the prosecution evidence. The photocopy of the RC Book is submitted which does not mention the full name of the applicant. So if the vehicle is returned to the applicant he may sell it or may make changes in it so, this application may kindly be rejected.

(5) Through his say (Exh. 4), I.O. has submitted that, the accused/applicant purchased the said motor car from the money embezzled from the company by stealing copper cast bar (ingot) while he was a contract worker of the company as a driver on a JCB machine. So, this application may kindly be rejected.

(6) Perused record before me, and considered arguments.

(7) Based on the documents given on record, i.e. photo copy of RC, it appears that the name mentioned is only Vinod. It is also brought out by the prosecution and IO that the vehicle was purchased from the proceeds of the theft. Hence, considering the said gravity and apprehensions raised by Ld. A.P.P. and I.O., it would not be appropriate to release the said vehicle. In these circumstances:-

ORDER

The Application is rejected.

Date: 18/03/2026
Place: Palghar

(Smt.P.S.G. Chalkar)
Judicial Magistrate First Class,
Palghar (2nd Court)

CERTIFICATE

I affirm that, the contents of this P.D.F file Judgment/order are same, word to word, as per the original Judgment/order.

Name of Stenographer	---	Suraj S. Saddiwal (Stenographer Grade-3)
Court	---	2 nd Jt.CJJD & JMFC Palghar
Date	---	18.03.2026
Order digitally signed on	---	18.03.2026
Order uploaded on	---	20.03.2026