

Vaibhav Thuturkar Vs State of Maharashtra

Order below Exh.1

1] The present application has been filed for seeking the release of a mobile phone Vivo Y400 Pro, two wheeler vehicle Bajaj Pulsar 125 bearing no. MH-29-CL-2986 and a four wheeler Ford vehicle bearing no. MH-46-Z-4229, seized from the accused during the course of the investigation in crime no.341/2026, regarding which a charge-sheet bearing Special Case No.74/2026 has been filed.

2] As per the application, the accused - who is the applicant herein, is the owner of the aforesaid three articles. Stating that neither of the said articles had any role to play in the crime in question, that the investigation being complete, no purpose will be served by keeping the same in the custody of the police, his Advocate is seeking their release. It has also been contended that the applicant will abide by all the terms and conditions which may be imposed upon him while releasing the mobile and the two vehicles, that he will produce them whenever required, and would also not change their nature in any way or transfer the same.

3] The Investigating officer has filed her reply dtd.18-7-2026. Therein, she has stated the fact of two mobiles having been seized from the applicant along with the vehicles used by him in the commission of the offences. The application for supratnama has then been opposed by stating that the accused may use the same for again committing serious offences, that he may change the colour of the mobile and the vehicles,

may sell the same and may not produce the same as and when required. She has therefore, sought the rejection of the supratnama application.

4] Heard Shri Rathi Advocate for the applicant and Shir Soitkar the Id. APP for the State. Admittedly, the charge-sheet in the matter has been filed, which shows that the investigation of the crime is complete. It needs to be noted that the offence in question pertains to the kidnapping of a minor girl, and her criminal intimidation after the applicant had allegedly, repeatedly subjected her to rape even though she was a minor. Hence, considering the nature of the offences, no useful purpose can be served by unnecessarily detaining the motor vehicles and even the mobile phone seized from the accused. This is because, the charge-sheet will show that the Investigating officer has executed a mobile verification panchanama regarding the Vivo 400 Pro 5 G after seizing the same from the accused i.e. the present applicant. The required information having been obtained by the Investigating officer from the said mobile, I do not find any reason to refuse its return to the applicant. This is because, otherwise the mobile will be rendered useless if it is allowed to be kept in the custody of police for many years. The copy of the bill placed on the record by the applicant will also show that he had purchased the same on 22-10-2025. Hence, I am of the view that the mobile in question can be released on certain conditions.

5] With regard to the seizure of the two motor vehicles i.e. a motorcycle and a car, the applicant has placed on record the copies of their registration particulars. As per the same, the applicant is the registered owner of the motorcycle bearing no. MH-29-CL-2986 as also of the four wheeler bearing no. MH-46-Z-4229. These are the same

vehicles which have been seized by the police in the crime in question from the applicant himself. The investigation regarding the said vehicles having also been completed, and they being obviously required by the applicant for his use, I am of the opinion that even the said motor vehicles can be released in his custody by imposing appropriate conditions. This is required to be done as otherwise, the two motor vehicles will remain in the custody of the police and will slowly start getting damaged, thereby reducing their value.

6] In the result, I proceed to pass the following order.

Order

1. The application for supurtnama stands allowed.
2. (i) The mobile i.e. Vivo Y400 Pro, IMEI No.1. 868165073992754, IMEI No.2. 868165073992747 is directed to be released in the custody of the applicant Vaibhav Sunil Thuturkar on he executing the supurtnama bond of Rs.25,000/-,
 - (ii) The motorcycle Bajaj Pulsar 125 bearing no. MH-29-CL-2986 is directed to be released in the custody of the applicant on he executing the supurtnama bond of Rs.60,000/-,
 - (iii) The car of the Ford company bearing no. MH-46-Z-4229 is directed to be released in the custody of the applicant on he executing the supurtnama bond of Rs.5,00,000/-, on the following conditions -
 - a) that he will produce the mobile and motor vehicles if required, during the trial in Special C.No.74/2026 filed by the Deoli Police Station in crime no.341/2026.
 - b) that he will not misuse them or change their nature in any way.

c) that he will not gift, sell or transfer the same till the conclusion of the trial in the aforestated crime.

(d) the Investigating officer is directed to take the photographs of the mobile and motor vehicles and to file them on the record before releasing the said articles in the applicant's custody.

Wardha.
Date – 17.08.2026.

(Ms. S.J. Ansari)
Special Judge (POCSO Act),
Wardha.

Certificate

“ I affirm that the contents of the P.D.F. File order are same word for word as per original order.

[S.V. Dakhane]
(Stenographer G-1)