

Order below Exh.136

1] The present application has been filed one Chhaya Pravin Raut who is the wife of the deceased Pravin Raut. In terms of the present applicant, it has been stated that the applicant's husband had purchased the two wheeler bearing registration no. MH 32 AR 3026 which was a Suzuki motorcycle. The said motor vehicle was however, seized by the Ramnagar Police Station in crime no.509/2022 which has been registered for the offences punishable under section 302, 143, 144, 148, 149, 201 and 323 of the Indian Penal Code. Stating that she is the widow of the previous owner of the vehicle which had been taken by the father of the juvenile in conflict with law as he was her husband's friend for some personal work, it has been contended that her husband was in no way connected to the crime in question. It has also been stated that the vehicle had been got registered in the name of the applicant's husband and as the said vehicle is lying with the Ramnagar Police Station, she cannot transfer the same in her name. Therefore, pointing out that the vehicle is essential for enabling her to go from one place to the other, which is also required by her for earning her livelihood, and that the vehicle will suffer complete damage if it is allowed to remain lying with the concerned Police Station, she has sought its interim custody. Not only this, but it has further been contended that the applicant will not change the nature of the vehicle in any way or transfer it to a third person in any manner.

2] The ld. APP has given his say on the application itself. Therein, it has been pointed out that the vehicle had been seized from

the juvenile at which time it did not have a number plate. Pointing out that the applicant is not the registered owner of the vehicle, that it is unclear whether she is the sole legal representative of the previous registered owner (since deceased), the ld. APP had stated that the application should not be allowed till the registration regarding the same is not transferred in the name of the applicant.

3] Heard the Advocate for the accused and the ld. APP. Prima facie, it is clear that the vehicle in question has been seized by the police from a juvenile in conflict with law involved in the crime in question. No doubt that in the seizure memo, it has been mentioned that the said motor vehicle was without a number plate and was identified by its engine number – AF212516025. That is the same engine number of the vehicle bearing registration no. MH 32 AR 3026 the interim custody of which is being sought by the applicant. The said fact will be apparent from the registration details as placed on the record. The said motor vehicle having been registered on 1-4-2021, the mere fact that it did not have a number plate at the time when it had been seized will therefore, not be enough to dispute its identity.

4] The death certificate of Pravin Waman Raut as placed on the record will show that he had expired on 27-2-2022. Obviously therefore, the applicant being his widow can be said to be entitled to the interim custody of the motor vehicle in question. Though the ld. APP has stated that it is unclear whether the applicant is the sole legal representative of the deceased owner, it will have to be noted that the names of all such owners are not required to be entered in the registration particulars. Obviously, the applicant being the widow of the registered owner, there cannot be any issue in transferring the said

motor vehicle in her name.

5] It will also have to be appreciated that without the motor vehicle being presented before the RTO for its transfer in the applicant's name, it will have to be physically inspected by the said authority. It is consequently apparent that the applicant will not be in a position to have the motor vehicle transferred in her name without first obtaining its physical custody.

6] The nature of the offence is also such that the further detention of the motor vehicle with the Ramnagar Police Station does not appear to be necessary. Even otherwise, if the prosecution will require the vehicle for any purpose during the trial, appropriate conditions can be imposed on the applicant for facilitating the same. I am therefore of the view that the applicant has been able to make out a case for being granted the interim custody of the vehicle in question. Hence, I proceed to pass the following order.

Order

1. The application for supurtnama stands allowed.
2. The vehicle i.e. Suzuki motorcycle bearing No.MH-32-AR-3026 is directed to be released in the custody of the applicant Chhaya Pravin Raut on she executing the supurtnama bond of Rs.1,00,000/- on the following conditions -
 - a) That the applicant shall get the vehicle transferred in her name once she receives the physical custody of the same and shall produce the relevant documents on the record within one month from the date of the release of the said vehicle.
 - b) That she shall not damage or change the nature of the vehicle in any

way.

c) That she shall not sale, pledge the same and shall produce it as and when directed till the completion of the trial in crime no.509/2022 as registered by the Ramnagar, Wardha Police Station for the offences under the IPC.

Wardha.
Date – 20.01.2026.

(Ms. S.J. Ansari)
Addl. Sessions Judge, 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)