



MHWR030056082026

Other Misc.Cri.Appln/1421/2026

Firozkhan Babbukhan Pathan Vs St. of Mah.
Thr. P.S.Sawangi Meghe

ORDER BELOW EXH. 1

This is an application filed u/s 503 of BNSS for grant of interim custody of Honda Motorcycle and Scooter India PVT LTD. Activa STD (Pearl Igneous Black) two wheeler bearing registration No.MH32BC0488 (Engine No.-JK36EW1742496 and Chassis No.-ME4JK361CTW742831), which is seized in Crime No. 559/2026 in connection with the offence, Section 12 (a) of Maharashtra Prohibition of Gambling Act,1887 registered at Police Station Sawangi Mehge, Wardha .

2. As per the applicant he is owner of the above said vehicle. It is required for his daily work and if the vehicle is kept lying in idle, it would cause damage. Hence he prayed for interim custody.

3. The learned APP and I.O. have filed their say and raised objection that if the vehicle is released it might be used in commission of crime again. Thus they prayed for rejection of application.

4. Perused the record. Applicant is the accused in the above matter. The applicant has produced a copy of registration certificate issued by the RTO, Adhar Card and FIR. On the basis of aforesaid documents it seems the applicant is the owner of vehicle. As reported by I.O that the vehicle is seized from the accused. Thus, the applicant has established his claim to the extent of deciding this application. Hence, I found the vehicle can be released in favour applicant with imposing conditions. Hence, following order -

ORDER

1. Application is allowed.
2. Seized Honda Motorcycle and Scooter India PVT LTD. Activa STD (Pearl Igneous Black) two wheeler bearing registration No.MH32BC0488 (Engine No.-JK36EW1742496 and Chassis No.-ME4JK361CTW742831), which is seized in Crime No. 559/2026 by P.S Sawangi Meghe, be handed over to the applicant on executing Indemnity Bond of Rs.1,25,000/- (One lakh and twenty five thousand Only) before the I.O with following conditions :
 - a. The applicant shall not alienate or transfer or sell it to anybody till further order.
 - b. Applicant shall keep the vehicle in proper condition and shall not dispose it in any manner without permission of Court.
 - c. Applicant to produce above vehicle as and when directed by the Court.
3. The Investigating Officer is hereby directed to take photographs of the above said vehicle and draw detail panchnama while handing the custody of the property to the applicant.
4. The I.O shall file all these papers with charge-sheet.
5. The I.O shall act on sealed copy of this Order. Humdast Granted.

Date: 03/08/2026
Wardha.

(Shri.V. K. Puri)
Judicial Magistrate, First Class,
[Court No.3] Wardha.