

MHWR060003172026



ORDER BELOW EXH. 3
(Passed on 9th September, 2026)

This is an application filed by applicant **Chandrakala Rahul Wankar** to release the vehicle i.e. **Honda companie's Activa 3G Scooter bearing registration No. MH-32-AC-9554** having **Chasis No. ME4JF506MFT002243** and **Engine No. JF50ET4002118** on supratnama.

2] It is the case of applicant that, she is the permanent resident of Hanuman ward, Tah. Hinganghat Dist. Wardha. Police Station Hinganghat had seized above said vehicle in crime No. 1799/2025, for the offence punishable u/s 303(2) of BNS. Applicant is the owner of **Honda companie's Activa 3G Scooter bearing registration No. MH-32-AC-9554** having **Chasis No. ME4JF506MFT002243** and **Engine No. JF50ET4002118** Therefore, the applicant prayed for releasing the above said vehicle on supratnama.

3] Say of prosecution have been called. The Ld. APP strongly opposed the release of said vehicle. The ld. APP submits that, prima facie case is against the accused. The seized vehicle is material evidence, therefore it required during the trial. In case of release, the possibility of dispose off or tampering in any manner of said vehicle can not be ruled out. Therefore, they pray that this application be rejected.

4] Heard the learned advocate for the applicant and learned A.PP. The applicant filed verified copies on record adhar card and certificate of registration of vehicle. From the documents on record it

appears that, applicant is the owner of vehicle i.e. **Honda companie's Activa 3G Scooter bearing registration No. MH-32-AC-9554 having Chasis No. ME4JF506MFT002243 and Engine No. JF50ET4002118.**

5] The seized vehicle has been in the custody of Police Station Hinganghat. There is a possibility of damage or loss to the seized vehicle, if it is kept standing in the open premises without any use. From the documents, it transpires that applicant is a lawful owner of the seized vehicle. Applicant is ready to abide the conditions imposed by the Court. No other person appeared before the Court to claim the seized vehicle. The Hon'ble Apex Court in the case of ***Sunderbhai Ambalal Desai v/s State of Gujrat (2002)10 SCC 283*** held that, it is of no use to keep seized vehicle at the police station for a long period. Therefore, it will be lawful to deliver the possession of said seized vehicle to the applicant by imposing certain conditions. Therefore, I pass the following order.

ORDER

1. The application is allowed.
2. The PSO, P.S. **Hinganghat** is directed to hand over the custody of seized vehicle in **Crime No. 1799/2025 Honda companie's Activa 3G Scooter bearing registration No. MH-32-AC-9554 having Chasis No. ME4JF506MFT002243 and Engine No. JF50ET4002118** to the applicant **Chandrakala Rahul Wankar** on executing supratnama bond of Rs. 1,00,000/- (Rs. One lakh only) in the police station on the following conditions-
 - a) The applicant shall produce seized vehicle **Honda companie's Activa 3G Scooter bearing registration No. MH-32-AC-9554 having Chasis No. ME4JF506MFT002243 and Engine No. JF50ET4002118** as and when directed by the Court.
 - b) The applicant to undertake that she will not sale, transfer or change the nature of seized vehicle during the custody. She is further directed to maintain and preserve seized

vehicle in all respect.

- c) The applicant shall not use seized vehicle for any illegal purpose.
- d) The concerned officer is directed to take photographs of seized vehicle and to prepare detailed panchnama while handing over the seized vehicle to the applicant and obtain his signature on the panchnama as well as on photographs.
- e) The concerned officer is also directed to obtain valid insurance of the seized vehicle from the applicant while handing over the seized vehicle to the applicant.
- f) Police Station Hinganghat is directed to obtain the photograph of vehicle at the costs of applicant and file the photographs as well as panchnama alongwith charge-sheet.

(C.A.Gawai)

Judicial Magistrate F.C.

(Court No. 3) Hinganghat.

Date: 09.09.2026

CERTIFICATE

I affirm that the contents of the this PDF file order are same word to word, as per the original order.

Name of the typist - A. K. Saroday (Stenographer grade III)