

ORDER BELOW EXH.1

Passed on 08th day of April, 2026

1] This is an application filed by applicant Nitin S/o. Shankarrao Dhage, R/o Gawha, Tah. Samudrapur, Dist. Wardha to release **Turbo Pump 3HP Motor** on supratnama.

2] It is the case of applicant that, he is the permanent resident of R/o Gawha, Tah. Samudrapur, Dist. Wardha P. S. Hinganghat seized above **Turbo Pump 3HP Motor** in Crime No. 1767/2025, for the offence punishable u/s 303(2). Applicant is the owner of **Turbo Pump 3HP Motor**. Therefore, the applicant prayed for releasing the above motor on supratnama.

3] Say of investigation officer and prosecution have been called. Investigation officer filed his say and submitted that they have no objection to release of seized motor. The Ld. APP filed his say and submitted that if this applicant has actual ownership of the motor then prayed to passed appropriate order.

4] Heard the learned advocate for the applicant and learned A.P.P. The applicant filed verified copies of adhar card and bill of the motor of Samruddhi Irrigation and Machinery dt.17.10.2023. From the documents on record it appears that, applicant is the owner of **Turbo Pump 3HP Motor**.

5] The seized motor has been in the custody of Police Station Hinganghat. There is a possibility of damage or loss to the seized motor, if it is kept in the premises without any use. From the

documents, it transpires that applicant is a lawful owner of the seized motor. Applicant is ready to abide the conditions imposed by the Court. No other person appeared before the Court to claim the seized motor. 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 motor at the police station for a long period. Therefore, it will be lawful to deliver the possession of said seized Motor to the applicant by imposing certain conditions. Therefore, I pass the following order.

ORDER

1. The application is allowed.
2. The Police Station Hinganghat in **Crime No. 1767/2025** is directed to hand over the custody of seized **Turbo Pump 3HP Motor** to the applicant **Nitin S/o. Shankarrao Dhage**, R/o Gawha, Tah. Samudrapur, Dist. Wardha executing supratnama bond of Rs.15,000/- (Rs. Fifteen Thousand only) in the police station on the following conditions-
 - a) The applicant shall produce seized **Turbo Pump 3HP Motor** as and when directed by the Court.
 - b) The applicant to undertake that he will not sale, transfer or change the nature of seized motor during the custody. He is further directed to maintain and preserve seized motor in all respect.
 - c) The applicant shall not use seized motor for any illegal purpose.
 - d) The concerned officer is directed to take photographs of seized motor and to prepare detailed panchnama while

handing over the seized motor to the applicant and obtain his signature on the panchnama as well as on photographs.

- e) Police Station Hinganghat is directed to obtain the photograph of Motor at the costs of applicant and file the photographs as well as panchnama alongwith charge-sheet.

(N. J. Pethe)

Judicial Magistrate F.C.
(Court No. 1) Hinganghat.

Date: 08/04/2026

MHWR06-004546-2025

OMC No. 444/2025

Nitin Vs. P. S. Hinganghat

C E R T I F I C A T E

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

Name of the stenographer :- Ku.M.G.Mehare
Grade III