

MHWR060017742026



ORDER BELOW EXH. 1
(Passed on 30th July, 2026)

This is an application filed by applicant **Anju Raju Yelane** to release the vehicle i.e. **Honda companie's Activa DLX, motorcycle two wheeler bearing registration No. MH-32-AY-4025 having Chasis No. ME4JK158JRW260109 and Engine No. JK15EW7260251 and cash of Rs. 61,200/- on supratnama.**

2] It is the case of applicant that, he is the permanent resident of Sant Tukdoji ward, Tah. Hinganghat Dist. Wardha. Police Station Hinganghat had seized above said vehicle in crime No. 965/2026, for the offence punishable under section 65(e) and 77(a) of Maharashtra Prohibition Act. Applicant is the owner of **Honda companie's Activa DLX, motorcycle two wheeler bearing registration No. MH-32-AY-4025 having Chasis No. ME4JK158JRW260109 and Engine No. JK15EW7260251 and cash of Rs. 61,200/-** Therefore, the applicant prayed for releasing the above said vehicle and cash on supratnama.

3] Say of investigation officer and prosecution have been called. Investigation officer filed his say at Exh. 5 and opposed the release of said vehicle and cash. The Ld. APP also strongly opposed the release of said vehicle and cash. The ld. APP submits that, prima facie case is against the accused. The seized vehicle and cash 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 and cash can not be ruled out. Therefore, they pray that this application be rejected.

4] Heard the learned advocate for the applicant and learned A.P.P. The applicant filed verified copies on record certificate of registration, adhar card, withdrawal slip of Mauli Nagari Sah. Pat Sanstha and statements of account. From the documents on record it appears that, applicant is the owner of vehicle i.e. **Honda companie's Activa DLX, motorcycle two wheeler bearing registration No. MH-32-AY-4025 having Chasis No. ME4JK158JRW260109 and Engine No. JK15EW7260251.** The withdrawal slip of Mauli Nagari Sah. Pat Sanstha and statements of account further prima facie reveal that seized cash of Rs. 61,200/- is out of loan taken by the applicant from pat sanstha.

5] The seized vehicle and cash have been in the custody of Police Station Hinganghat. There is a possibility of damage or loss to the seized vehicle and cash, 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 and cash. Applicant is ready to abide the conditions imposed by the Court. No other person appeared before the Court to claim the seized vehicle and cash. 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 and cash at the police station for a long period. Therefore, it will be lawful to deliver the possession of said seized vehicle and cash 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 and cash in **Crime No. 965/2026 Honda companie's Activa DLX, motorcycle two wheeler bearing registration No. MH-32-AY-4025 having Chasis No. ME4JK158JRW260109 and Engine No.**

JK15EW7260251 and cash of Rs. 61,200/- to the applicant **Anju Raju Yelane** on executing supratnama bond of Rs. 2,00,000/- (Rs. Two lakh only) in the police station on the following conditions-

- a) The applicant shall produce seized vehicle and cash **Honda companie's Activa DLX, motorcycle two wheeler bearing registration No. MH-32-AY-4025 having Chasis No. ME4JK158JRW260109 and Engine No. JK15EW7260251 and cash of Rs. 61,200/-** 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 and cash during the custody. she is further directed to maintain and preserve seized vehicle and cash in all respect.
- c) The applicant shall not use seized vehicle and cash for any illegal purpose.
- d) The concerned officer is directed to take photographs of seized vehicle and cash and to prepare detailed panchnama while handing over the seized vehicle and cash 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 and cash from the applicant while handing over the seized vehicle and cash to the applicant.
- f) Police Station Hinganghat is directed to obtain the photograph of vehicle and cash at the costs of applicant and file the photographs as well as panchnama along with charge-sheet.

Date: 30.07.2026

(C.A.Gawai)
Judicial Magistrate F.C.
(Court No. 3) Hinganghat.

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)