

CNRMHWR06-001778-2026

ORDER BELOW EXH.1

Passed on 18th of July, 2026

1] This is an application filed by applicant Ritik Harishwar Naik, R/o. Indira Chauk, Kalamb, Tah. Kalamb and Dist. Yavatmal to release the vehicle i.e. **PULSUR 220 DTS-IF Ebony Black Met Colour Motorcycle bearing registration No. MH-29-BK-3160 having Chasis No. MD2A13EY9JCF71095 and Engine No. DKYCJF11186** on supratnama.

2] It is the case of applicant that, he is the permanent R/o. Indira Chauk, Kalamb, Tah. Kalamb and Dist. Yavatmal, P. S. Allipur seized above said vehicle in Crime No. 254/2026, for the offence punishable u/s 65(e), 77(a) and 83 of Maharashtra Prohibition Act. Applicant is the owner of **PULSUR 220 DTS-IF Ebony Black Met Colour Motorcycle bearing registration No. MH-29-BK-3160 having Chasis No. MD2A13EY9JCF71095 and Engine No. DKYCJF11186**. Therefore, the applicant prayed for releasing the above said vehicle on supratnama.

3] Say of investigation officer and prosecution have been called. Investigation officer filed his say and opposed to release of said vehicle. He submitted that if the vehicle released on supratnama then there may be possibility to commit similar types of offences again. The Ld. APP filed her say and strongly opposed the application. The ld. APP submits that, the said vehicle is seized from the possession of accused and which is important evidence. The

accused used the seized vehicle for illegal transportation of liquor, if the seized vehicle released on supratnama then there may be possibility to commit similar types of offences again. He may change the nature of the vehicle. The applicant is the accused of the said crime. Hence, prayed to reject the application.

4] Heard the learned advocate for the applicant and learned A.P.P. The applicant filed verified copies on record of adhar card and certificate of registration of vehicle. From the documents on record it appears that, applicant is the owner of vehicle **PULSUR 220 DTS-IF Ebony Black Met Colour Motorcycle bearing registration No. MH-29-BK-3160 having Chasis No. MD2A13EY9JCF71095 and Engine No. DKYCJF11186.**

5] The seized vehicle has been in the custody of Police Station Allipur. 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.

...O R D E R...

1. The application is allowed.
2. The Police Station Allipur in **Crime No. 254/2026** is directed to hand over the custody of seized vehicle **PULSUR 220 DTS-IF Ebony Black Met Colour Motorcycle bearing registration No. MH-29-BK-3160 having Chasis No. MD2A13EY9JCF71095 and Engine No. DKYCJF11186** to the applicant Ritik Harishwar Naik, R/o. Indira Chauk, Kalamb, Tah. Kalamb and Dist. Yavatmal 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 when directed by the Court.
 - b) The applicant to undertake that he will not sale, transfer or change the nature of seized vehicle during the custody. He 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) Obtain valid insurance of the seized vehicle from the applicant while handing over the seized vehicle to the applicant.
 - f) Police Station Allipur is directed to obtain the photograph of vehicle at the costs of applicant and file the photographs as well as panchnama alongwith charge-sheet.

Date:-18/07/2026.

Place : Hinganghat.

(A. B. Ingole)

I/C 2nd Jt. Civil Judge (J.D.)

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