



**ORDER BELOW EXH.01**  
(Passed on 05.06.2026)

The applicant has filed an application under Section 503 of the Bharatiya Nagarik Suraksha Sanhita for interim custody of seized muddemal i.e. Honda Activa 6-G DLX Moped Scooter bearing registration No.MH-32/AT-9892, Chassis No.ME4JF91AFNW232039, Engine No.JF91EW7232045 (for short 'vehicle'), which was seized by the Police Station, Arvi in connection with Crime No.997/2025 registered for the offences punishable under Sections 303(2), 371(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023. The applicant is the owner of said vehicle. The applicant prayed to release the said vehicle and to hand over the interim custody of the same. Call the say of I.O. and Learned APP for the State.

2] The applicant submitted that he is a law-abiding citizen of India and permanently residing at the address mentioned in the instant application. He is a doctor by profession. The applicant has no nexus with the said offence. The applicant had purchased the seized vehicle for going to the college to his son namely Sujal. As, Sujal had gone out of the village for some work, therefore, the applicant has given the seized vehicle to the friend of Sujal namely Shlok Home. The accused took the seized vehicle from Shlok Home, and the vehicle is seized from the possession of the accused in the instant crime. The seized vehicle is necessary for going to the college to his son. The applicant is ready to abide by all the conditions to be imposed by the Court. Hence, he prayed to allow the instant application.

3] The I.O. and Learned APP filed the say and they objected to release the seized vehicle on the ground that the said vehicle was used for committing the offence. The said vehicle was involved in the crime. Some of the accused are the juveniles, and there will be no fear of law in the minds of accused. If said

vehicle is released on bond, there is an absolute possibility of committing such type of offence again and also the possibility of selling, tampering, or destroying the said vehicle. Hence, they prayed to reject the application.

4] Perused the application and say filed by the I.O. vide Exh.06 and learned APP vide Exh.07. Heard both sides. It appears that the applicant filed the verified copies of Certificate of Registration (vehicle particulars), Driving Licence, Aadhar card of the applicant and xerox copy of the Insurance of vehicle and F.I.R. on record. From said documents, the applicant appears to be the owner of the seized vehicle. There is no claimant other than the applicant. No purpose will be served by keeping the said vehicle in the police station. The applicant is ready to abide by all the conditions to be imposed by the Court. If the seized vehicle remained idle at Police Station, then there is the possibility of damage to seize the vehicle and that possibility cannot be ruled out. Hence, he is entitled to get interim custody of the seized vehicle. Moreover, in the case of **Sundarbhai Vs. State of Gujarat, (2002) 10 SCC 283**, the Hon'ble Supreme Court has observed that the vehicle should not be kept at the police station and be handed over to the person entitled thereto.

5] As stated above, the prima facie case is made out with regard to the ownership over the seized vehicle, it is just and proper to allow the instant application. Hence, I pass the following order ;

### **ORDER**

- 1) The application is allowed.
- 2) The Police Station Officer, Arvi, Dist. Wardha is directed to hand over the interim custody of seized vehicle **Honda Activa 6-G DLX Moped Scooter** bearing registration No.**MH-32/AT-9892** to the applicant **Kishor Uttamrao Dhangar** on his 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 the seized vehicle as and when directed by the Court.
  - b) The applicant shall undertake that he will not sell, transfer, or change the nature of the seized vehicle during custody. He is further directed to maintain and preserve the seized vehicle in all respects.
  - c) The applicant shall not use the seized vehicle for any illegal purpose.

- d) The indemnity bond be executed before the Police Station.
- e) The concerned officer is directed to take photographs of the seized vehicle and to prepare a detailed panchnama while handing over the seized vehicle to the applicant and obtain his signature on the panchnama as well as on photographs.
- f) The concerned officer is also directed to obtain valid insurance for the seized vehicle from the applicant while handing over the seized vehicle to the applicant.
- g) The case papers be attached with the charge-sheet that may be filed in Crime No.997/2025 registered by the Police Station, Arvi.

Date : 05.06.2026  
Place : Arvi

[N. J. Deshmukh]  
Judicial Magistrate First Class,  
Court No.2, Arvi.