

MHWS070018842025



Cri.M.A.No. 131/2025  
Gajanan Chavan Vs. State

**ORDER BELOW EXH.1**  
(Passed on 08/06/2026)

1] Perused the application and the documents filed along with it, say given by I.O. at Exh.6. Heard Advocate for applicant. The present application is moved by the applicant under Section 503 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for releasing Hero Splendour Motorcycle bearing Registration No. MH-29-CF-4322, Chasis No. MBLHAW22XR4E00738, Engine No. HA11E7R4E00619 on Supratnama. It is further submitted that, applicant is the owner of the vehicle. He has filed the document to that effect. Applicant submitted that Karanja City Police Station have seized said vehicle in Crime No.0448/2025. The said vehicle is lying in the Police Station and therefore the applicant is ready to receive the said vehicle on Supratnama and is ready to abide by all the conditions. Hence, prayed to release the said vehicle on Supratnama.

2] The say of I.O. was called. He submitted that an appropriate order may be passed after due verification of documents regarding ownership of the seized vehicle. The Ld. App has also given his say and objected to release the seized vehicle in the name of applicant as applicant has not filed any documents regarding ownership and also the copy of FIR has not been filed on record. Hence, requested to reject the application.

3] Learned Advocate for the applicant submitted that if the vehicle is not released, it may damage and lost its value.

4] The Hon'ble Supreme Court in **Sundarbhai Ambalal Desai -Vs- State of Gujarat in 2002 (9) SCALE 153** has given directions to trial Court for disposal of the property pending trial. The Hon'ble Supreme Court held that “*whatever be the situation, it is of no use to keep such seized vehicles at the police stations for a long period. It is for the Magistrate to pass appropriate orders immediately by taking appropriate bond and guarantee as well as security for return of the said vehicles, if required at any point of time.*”

5] In support of the claim, the applicant has filed on record copy of Registration Certificate of the vehicle which goes to show that applicant is the registered owner of the seized motorcycle and also filed Adharcard. No person other than the applicant has claimed the custody of the vehicle. Moreover, the production of the vehicle is not necessary during the trial of the case. The possibility of the damage to the property cannot be ruled out if kept lying in the Police Station. As the applicant has shown his ownership over the seized property, he is entitled for the interim custody of the same. Under such circumstances, it would be just and proper to release the seized vehicle on suprutnama after imposing certain conditions upon the applicant. In view of cited supra, following order is passed.

### **ORDER**

- 1) The application is allowed.
- 2) The property namely Hero Splendour Motorcycle bearing Registration No. MH-29-CF-4322, Chasis No. MBLHAW22XR4E00738, Engine No. HA11E7R4E00619 be

handed over to the applicant till the conclusion of trial on the applicant's executing indemnity bond of Rs.50,000/-

- 3) The investigation officer is hereby directed that prior to giving interim custody of the vehicle in question to applicant, coloured photographs of cabinet size from different angles clearly indicating registration number and other particulars of the vehicle shall be kept on file, and expenses for the photographs shall be borne by applicant herein.
- 4) The applicant shall undertake not sell, transfer, mortgage or dispose of the aforesaid vehicle in any manner whatsoever and/or shall not make any change in its body, colour and chassis and engine number and no damage shall be caused to the vehicle. The applicant to maintain and preserve the property in all respects
- 5) The applicant shall produce the property as and when directed by the Court.
- 6) The applicant is directed to furnish his identity proof, registered address, phone number and his Passport size photograph along with the suprutnama bond.
- 7) Copy of this order be sent to the P.S. Karanja City for compliance.

Order accordingly.

Place : Karanja (Lad).  
Date : 08/06/2026.

**(B. A. Nerlikar)**  
Judicial Magistrate First Class  
(Court No.02), Karanja (Lad).

| <b><u>CERTIFICATE</u></b>                                                                            |    |                                       |
|------------------------------------------------------------------------------------------------------|----|---------------------------------------|
| I affirm that the contents of this P.D.F. file Order is same word to word as per the original order. |    |                                       |
| Name of Steno.                                                                                       | :- | <b>Shivam B. Patange (LG)</b>         |
| Court Name                                                                                           | :- | Jt. C.J.J.D. & J.M.F.C., Karanja Lad. |
| Date of Order                                                                                        | :- | 08.06.2026                            |
| Order signed by P.O.                                                                                 | :- | 08.06.2026                            |
| Order uploaded on                                                                                    | :- | 08.06.2026                            |