



Cri. M.A. No. 16/2024
Sonbarao V/s State
CNR No. MHWS080001702024

SUPURTNAME APPLICATION
ORDER BELOW EXHIBIT-10
(Passed on 08.04.2024)

This is an application seeking interim custody of Hero company Passion Pro bearing Registration No. MH-26/AJ-4147, Chesis no. MBLHA10AWDHA09811 and Engine No. HA10ENDHA09005 which came to be seized in Crime No. 06/2024, registered at Shirpur Jain Police Station for the offence punishable under section 4, 25 of the Arms Act, 1959.

02 Read application, say filed by learned A.P.P. on overleaf of this application and say of Investigation officer filed at Exh. 05. Ld. Heard Adv. Shri. S.A. Pandit and Shri. D.S. Bonde for applicant and Ld. A.P.P. Shri. R.V. Tayade for state.

03 I.O. has submitted that, the offence is serious one and investigation is in progress. The serious weapon like *Gupti* i.e. two sharp edged instrument is recovered from accused, which is hidden and concealed by accused. So the alleged vehicle is also part of evidence. If the vehicle is released, there is possibility of commission of serious offence. He orally submitted that the question of law and may be arose.

04 The Ld. A.P.P. also submitted that, the said vehicle is directly involved and connected and used while commission of said offence. Thus the said vehicle against the accused. Hence if it released then there is every possibility to sell it or change its nature. Hence, at this stage it be rejected.

05 Record also shows that, during search of accused the alleged serious weapon is recovered, at that time the accused was using this vehicle. The weapon is very serious which is not an ordinary thing to possess. No any discloser has been made by accused how the weapon is came in to his possession and what is his purpose for keeping it. It is also not the case of accused that he has a valid license for possession of alleged sharp edged weapon. Moreover, applicant himself is accused is this case. Moreover charge-sheet is filed against accused/applicant, which prima facie shows the substance against accused. In such circumstances considering the nature of offence and the nature of weapon recovered from accused I am not inclined to allowed this application. Hence, I pass the following order.

ORDER

The application is hereby rejected at this stage.

Date : 08.04.2024

(Y.D. Koinkar)
Judicial Magistrate (F.C.),
Risod

CERTIFICATE

I affirm that the contents of this P.D.F File Judgment/Order are same word to word, as per the original Judgment/Order.

Name of the Stenographer : Harshali A. Uchade (Stenographer L.G.)

Name of court : C.J.J.D.& JMFC;Risod

Date : 08.04.2024

Judgment/Order signed by the
Presiding Officer : 08.04.2024

Judgment/Order uploaded on : 08.04.2024