

MHWS08000398-2026



ORDER BELOW EXH.01

Perused the application and the documents filed along with it.

2] The Investigating Officer and APP have filed their say and strongly opposed to release the seized four wheeler vehicle Bolero PIK-UP FB MS 1.3T in Mahindra & Mahindra company bearing registration No.MH.-04-KU-0427. They contended that, As offence is serious in nature and non-bailable one. The said seized vehicle is used in commission of said alleged offence. Thus, said vehicle is an important evidence against accused. If it released then there is every possibility to sell it or change its nature. It is also submitted that, it is very necessary and require to verify the documents regarding the ownership of seized property. Hence, they prayed to reject the application. The Ld. Counsel for the applicant submitted that, the investigation in crime is likely to be concluded in near future.

3] **The applicant has filed the following documents :-**

- A) Xerox copy of F.I.R.
- B) Xerox copy of R.C. Book.
- C) Xerox copy of Aadhar Card.

4] From the documents applicant appears to be the owner. From record it appears that, the said vehicle has been seized in Crime No.178/2026 for an offence punishable u/s. 309(6) & 3(5) of B.N.S. Therefore, applicant is entitled to receive the property. No purpose would be served in keeping the seized property at the Police Station. The possibility of the damage to the property can not be ruled out if kept lying in the Police Station.

5] Considering the nature of the seized property, its protection, guarding and safe custody is not reasonably practicable. Looking into the nature of the seized property, it may lose its worth and value.

6] As the applicant has shown entitlement to receive the seized property and as no claimant other than the applicant came forward, he is entitled for the possession of the same. So far as the apprehension raised by the I.O. and APP is concerned that can be taken care of by imposing appropriate conditions. In the result following order is passed.

ORDER

1. The application is allowed.
2. The property four wheeler vehicle Bolero PIK-UP FB MS 1.3T in Mahindra & Mahindra company bearing registration No.MH.-04-KU-0427 seized in Crime No.178/2026 registered with P.S., Risod be handed over to the applicant on the applicant executing

indemnity bond of Rs.5,00,000/- (In word of Rupees Five Lakhs only).

3. The applicant to undertake that, he shall not sell or transfer the property without the prior permission of the Court. The applicant to maintain and preserve the property in all respects.
4. The applicant shall produce the property in the Court as and when directed.
5. I.O. is directed to take photographs of vehicle from each side at the costs of applicant and to prepare a panchnama before handing over the possession of the vehicle to the applicant. I.O is further directed to file said photographs and panchnama along with final report.

Date : 16/03/2026

(Dinesh M. Gaikwad)
Judicial Magistrate, F.C.,
Court No.2, Risod.

CERTIFICATE

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

Name of the Stenographer : Prashant K. More, (Grade III)
Name of court : Jt. C.J.J.D. & J.M.F.C., Risod.
Date : 16.03.2026
Order signed by the
Presiding Officer : 16.03.2026
Order uploaded on : 17.03.2025