

MHWS08000827-2026



ORDER BELOW EXH.01

Perused the application and the documents filed along with it.

2] The applicant praying to release detained vehicle Ashok Leyland Company CA1015/28 T Tipper bearing registration No.MH-21-BG-8811, Chassis No. MB1GSGCC6RRPS8432 Engine No.RPHZ401203 seized by Risod police station in crime No.404/2026. The Investigating Officer has filed say and strongly opposed to release the detained vehicle. He contended that, if detained vehicle will released then there is every possibility to change its nature. He further submitted that, if the vehicle will release then there is possibility to commit such type of offence again. Lastly he prayed to reject the application. APP has filed her say and also opposed the application. She contended that, the vehicle is not seized by the cencern police station but it is detained. He further submitted that, the Provisions relating to interime custody of seized property are not attracted. Therefore, said application is not tenable an liable to be rejected. Hence, they prayed to reject the application.

3] Called say from Tahsildar, Risod. But Tahsildar, Risod has failed to filed her say. Therefore, no say order passed at Exh.1 on 01/06/2026.

4] The Ld. Counsel for the applicant submitted that, the investigation in crime is likely to be concluded in near future. The applicant has filed the following documents :-

- A) Verified copy of R.C. Book.
- B) Verified copy of F.I.R.
- C) Verified copy of Adhar Card.

5] From the documents applicant appears to be the owner. From record it appears that, the said vehicle has been seized in Crime No.404/2026 for an offence punishable u/s. 303(2) of B.N.S. and u/s.48(7), 48(8) of Maharashtra Land Revenue Code 1966. From the challan it appears that, applicant has paid amount fees of Rs.1,38,100/- through Revenue Department. 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.

6] 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.

7] 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 APP and I.O. 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 vehicle Ashok Leyland Company CA1015/28 T Tipper bearing registration No.MH-21-BG-8811, Chassis No. MB1GSGCC6R -RPS8432 Engine No.RPHZ401203 seized in Crime No.404/2026 registered with P.S., Risod be handed over to the applicant on the applicant executing indemnity bond of Rs.10,00,000/- (In word of Rupees Ten Lac 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 : 03.06.2026

(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 : B. V. Bhisade, (Grade III)
Name of court : Jt. C.J.J.D. & J.M.F.C., Risod.
Date : 03.06.2026
Order signed by the
Presiding Officer : 03.06.2026
Order uploaded on : 03.06.2026