

MHWS080008922026 	<u>ORDER BELOW EXH. 1 IN</u> <u>Cri. M. A. No. 93/2026</u> <u>Avinash Sheptya Bhosale Vs</u> <u>Maharashtra Shashan Through Police</u> <u>Station Officer Risod</u>
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This application is filed by the applicant namely, **Avinash Sheptya Bhosale** under Section 503 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for interim custody of the Pulsar 150 bike, seized by Police Station Officer Risod in C.R. No.999/2025.

2. As per application the Police Station Officer Risod has seized Motorcycle in Crime No.999/2025 registered for the offence punishable under Section 309(4),333,3(5) of BNS and 3/25 of Arms Act. Therefore, the applicant has filed present application for the interim custody of the above said vehicle.

3. The description of the motor cycle is as under :-
 Registration No. MH 37 AG 8941,
 Chases No. MD2A11CX5RCL31551
 Engine No. DHXCRL27749

4. Perused application, documents filed in support of it and say thereon filed by the investigating officer and learned A.PP

5. The investigating officer admitted in his say that, he seized above vehicle. He has objection & if released imposed conditions. Further the learned A.PP. stated in his say that, if said vehicle and is released there are chances of committing such type of offence again and dispose off permanently. Therefore, he prayed for rejection of this application. The accused has filed his say below Exh.06 stating that he has no objection to release the seized vehicle.

6. Heard learned Advocate for the applicant and the learned A.PP. on behalf of the State.

7. The applicant has filed affidavit in support of the application, along-with list of document Exh.3 has filed copy of FIR, verified copy of Aadhar card and RC book.

8. Heard both sides. On perusal of above said documents it appears that, the applicant Avinash Sheptya Bhosale is the owner of said vehicle.

9. So far as facts in hand are concerned the alleged vehicle came to be seized in crime No.999/2025 registered with the Police Station Officer Risod. The I.O. has seized the vehicle. The applicant prayed to hand over interim custody of seized vehicle. The applicant is ready to abide all the conditions imposed by the Court.

10. It is submitted by the applicant that, he is ready to abide by all conditions imposed by this Court. The vehicle put in Police Station & if it is not in use, there is possibility of damage of said vehicle & applicant may be sustain heavy loss. The applicant having the said vehicle for daily work. No purpose would be served by keeping the said muddemal property i.e. vehicle in the police station. If vehicle remains idle at Police Station, then there is possibility of getting it damaged. As no one appeared before the court to claim the better title over seized vehicle. Furthermore, there is no reason to reject present application and more particularly in view of the law laid down by the Hon'ble Apex Court in the case of ***Sunderbhai Ambalal Desai V/s. State of Gujrat (AIR 2003 SC 638)***, there is no use to keep seized properties at Police Station for long period and appropriate order needs to be passed immediately regarding return of property by taking appropriate bonds as well as security for return of the property, if required at the time of trial. Considering submission in respect of economic condition of applicant it is proper to take security from applicant. In the result I am of the opinion that seized vehicle may be entrusted in the custody of applicant till conclusion of trial. Hence, following order is passed :

ORDER

- A) The application is hereby allowed.
- B) The seized vehicle i.e. Registration No. MH 37 AG 8941 Chases No. MD2A11CX5RCL31551, Engine No. DHXCRL27749 be given to the applicant on his executing indemnity bond of Rs.1,00,000/- (Rs. One Lakhs rupees only) collectively subject to following conditions :-
1. The applicant shall not sell, alienate, transfer or create third party interest upon the vehicle and without prior permission of this Court ;
 2. The applicant shall not change the colour and nature of the vehicle ;
 3. The applicant shall produce the said vehicle and as and when ordered by the Court;
 4. The applicant shall maintain preserve the entrusted vehicle and in all respects;
 5. The applicant to give necessary document of seized vehicle to concerned police authority.
 6. The applicant is further directed that, he shall not used the seized vehicle for commission of same kind of offence in future.
 7. The applicant to give necessary document of seized vehicle and , indemnity bond and Supurtnama before concerned police authority or I.O.
- C) I.O. is directed to hand over the custody of seized vehicle to the applicant after-

1. Preparing detailed proper panchanama of said vehicle and .
 2. Taking photographs of said vehicle and provided that such photographs shall be attested or counter signed by the applicant.
 3. Police directed to handover custody of vehicle **on verification of valid insurance** of claimed vehicle.
- D) Investigating officer is hereby ordered to submit all relevant papers & insurance of release of vehicle along with final report of C.R.No. 86/2026 and he shall mention in it about the return of muddemal property i.e. vehicle to the applicant.
- E) This application along-with all documents be kept with criminal case arising out of Police Station Officer, Risod Cr. No.86/2026.
- F) Inform the Police Station Officer, Risod accordingly.

Sd/-
(**Shri. Kiran D. Lukde**)
Judicial Magistrate, First Class
Risod.

Date:- 11.06.2026

CERTIFICATE

I affirm that, the contents of this PDF file Order/Judgment are same word to word, as per original Order/Judgment.

Name of the Stenographer	:- S.M. Pandit, (J. Clark)
Court Name	:- 2 nd Jt. C.J.J.D. & J.M.F.C., Risod.
Order Date	:- 11/06/2026
Judgment/Order signed by the Presiding Officer	:- 11/06/2026
Judgment/Order uploaded on	:- 11/06/2026