

MHYA010008002019



IN THE COURT OF SESSIONS JUDGE, YAVATMAL

Sessions Case No. 49/2019

State -Vs- Kiran

Order Below Exh.102

[Passed on 8-9-2021]

1. Perused the application and say as well as documents attached with the charge-sheet. Heard learned Advocate Shri A.M. Dani for the applicant Kamal Khade, who is mother of the accused No. 4 Mithun Khade and learned A.P.P. Shri U.K.Pande for the prosecution.

2. The applicant who is mother of the accused No.4 has filed this application to give her seized vehicle on supurtnama in her interim custody till the decision of case. She has filed copy of R.C. Book of the said vehicle. As per seizure panchanama dated 10-1-2019, it appears that police seized vehicle motorcycle make Hero Company Registration No. MH-29/AL-7874 from the accused No.4 in Crime No. 1219/2018 Police Station Yavatmal [City] as it was used for the commission of offence etc. It is lying in the Police Station.

3. In view of above mentioned document, the applicant is owner of the seized vehicle and as per seizure panchanama it was

seized from her son the accused No.4. Till update nobody claimed on the seized vehicle. The accused No.4 gave a say Exh.111 that vehicle be given in custody of his mother. Therefore, considering application of the applicant, copy of R.C. Book and it was seized from her son the accused No.4 who has given no objection to give in her custody, she is found entitled to take in possession of the vehicle. If the vehicle is kept in Police Station till the decision of case, no purpose will be solved and possibility cannot be ruled to tear and wear it or cause damage to it. Hence, I am inclined to give seized vehicle to the applicant in her interim custody till the decision of the case on supurtnama with imposing conditions. Thus, I proceed to pass the following order.

Order

The application Exh.102 is allowed and seized vehicle motorcycle makes Hero bearing No. MH-29/AL-7874 in Crime No. 1219/2018 of Police Station Yavatmal [City] be given in interim custody of the applicant Smt Kamal Shivaji Khade till decision of the case on her executing Bond of Supurtnama under following conditions :-

[1] The applicant shall execute bond of supurtnama of Rs. 50,000/- on the record of S.T.No. 49/2019.

[2] The applicant shall not sell or transfer vehicle or

change its colour or nature in any mode or manner till the decision of the case without permission of the Court.

[3] The applicant shall produce vehicle in the Court as and when called.

[4] After the applicant executed Bond of Supurtnama, copy of order be given to the concerned Police Station Officer for information and necessary action.

[5] The concerned Police Station Officer – I.O. shall give the vehicle in the custody of the applicant with taking acknowledgment thereof from her and copy of it be placed on record of S.T.No. 49/2019.

Place : Yavatmal
Date : 8-9-2021.

[V.P.Patkar]
Sessions Judge,
Yavatmal.