



Order below Exh.01 in OMCC No.36/2026

1) Through this application, the applicant **Sunil Bhaurao Rajurkar** is praying for interim custody of seized muddemal i.e. **Honda Unicorn** bearing registration No.**MH-29-CL-5109**, Chasis no.**ME4KC407FSG097846** and Engine no.**KC40EG4098211** which was seized in **Crime no.202/2026** by **Wani** Police Station.

2) It is alleged that, the said vehicle was used in offensive activity where the accused committed an offense punishable under section **25 & 4 of Arms Act, 1959**. I have called the say of Ld. APP and IO.

3) APP filed say at Exh.05 and IO filed say below Exh.06. They both submitted that, if the said vehicle is released, it may be used in commission of similar offence and there will be possibility to tamper with the same. They also submitted that, accused has not submitted any document to the police station. Therefore, both prayed to reject the application.

4) Indeed, in view of the findings given in the landmark case of **Sundarabhai Ambala Desai Vs. State of Gujarat Reported in AIR 2002 SCW 5301**, where it is directed to the Magistrates that, *the Muddemal lying at police station having no use there, to be released as expeditiously as possible*, I do not find any reason to detain the said vehicle. Further, investigation has been completed and charge-sheet has been filed. Further on perusal of documents filed below Exh.02 i.e. registration certificate of the said vehicle, Aadhar Card, applicant appears to be the owner of vehicle. Apart

from applicant, no other person has claimed said vehicle. Thus, applicant is entitle to the interim custody of said vehicle. Hence, I reckon to pass following order.

ORDER

1. Application is allowed.
2. Seized vehicle i.e. **Honda Unicorn** bearing registration No.**MH-29-CL-5109**, Chasis no.**ME4KC407FSG097846** and Engine no.**KC40EG4098211** which was seized in **Crime no.202/2026** by **Wani** Police Station be given in interim custody to the applicant on executing indemnity bond of Rs.50,000/-.
3. Applicant shall not alienate or transfer the vehicle till disposal of the case or without permission of the court.
4. Applicant shall not make any substantial change in the appearance or the part of the vehicle nor should change its colour.
5. The applicant to produce the vehicle as and when required for investigation, inquiry or trial.
6. The applicant to file four photographs of the vehicle before moving it away from the police station portraying therein the registration number and model number. Investigating officer to facilitated the photography.
7. Investigating officer shall verify the original documents and prepare detail *panchanama* before handing over the seized vehicle to the applicant.
8. Information of the order be given to the police station concerned accordingly.

Date - 04/04/2026
Wani

(**A.B.Biradar**)
Judicial Magistrate F. C., Wani