

**IN THE COURT OF METROPOLITAN MAGISTRATE,
32ND COURT, BANDRA, MUMBAI.**

Notice No. 754/N/2018.

C.R. No. 247/2018.

Kherwadi Police Station.

Mr. Usman Ismail Qureshi

... Applicant

V/s.

**Sr. Inspector of Police,
(Kherwadi Police Station)**

...Respondent.

**ORDER BELOW APPLICATION FOR RETURN OF PROPERTY
VIZ. HONDA CB UNICORN MOTORCYCLE**

By this application the applicant **Mr. Usman Ismail Qureshi**, is seeking return of Honda CB Unicorn motorcycle, bearing registration No. MH-02-CN-2025, as quoted in the application, being registered owner of the same. It is further submitted that, the said motorcycle was seized by Kherwadi police station, in pursuant of rash and negligent driving of accused. He is ready to produce the said property whenever required till final disposal of case. The application is supported by various documents such as copy of notice of transfer of ownership of motor vehicle, F.I.R., Registration Certificate and affidavit of applicant etc.

2. Accordingly say of Investigation Officer and learned APP were called. Investigating officer opposed the application on the ground that RTO inspection report is still awaited. Whereas, learned APP have failed to file his say.

3. Heard argument, perused the record.

4. Considering the reasons mentioned in application supported by documents, it is evident that, the aforementioned motorcycle may be temporarily released in favor of the applicant, being registered owner of

the same. Hence, upon imposing certain conditions the said motorcycle may be released in favor of applicant. Hence, the following order :-

ORDER

- 1 The seized Honda CB Unicorn motorcycle, bearing registration No. MH-02-CN-2025 be released in favor of applicant namely, **Mr. Usman Ismail Qureshi** on his furnishing indemnity bond of ₹. 50,000/-, with direction to furnish insurance policy.
- 2 Sr. PI of concern police station directed to get done RTO inspection within reasonable period of time of not more than 15 days. and
- 3 Applicant shall produce the said motorcycle as and when required by the Court.
- 4 Investigation Officer shall obtain photographs of seized motorcycle from all angles for its proper identification in future.
- 5 Copy to the concerned police station for compliance of this order.

Date : 15.11.2018
ssl.

(Sudhir N. Shinde)
Metropolitan Magistrate, 32nd Court,
Bandra, Mumbai.