

Criminal M.A. No. 258/2026.
Somnath Shep Vs. State of Maharashtra.
CNR No : MHBI130019672026.
ORDER BELOW EXH - 01.

The present application has been filed for seeking the interim custody of **vehicle i.e. Mahindra & Mahindra Companies Tractor bearing No. MH-44-Z-1438, Chassis No. MBNBEBDELMNH07187 and Engine No. NMH2UCE0329** seized by the **Sirsala Police Station**, in the **Crime No. 198/2026** filed U/s. 303(2) of B.N.S.

02. The Ld. A.P.P. filed his say submitted that the vehicle is the prime evidence and there is the possibility to sale the said vehicle. Therefore, he prayed to reject the application.

03. Ld. Advocate for the applicant has submitted that, the applicant is the owner of the said vehicle and he is ready to abide all the terms and conditions imposed by the Court. He has further prayed for the release of the said vehicle.

04. I have perused the documents filed by the applicant, i.e. photo copy of FIR, verified copy of Aadhar card, Copy of R.C. book of the vehicle and power of attorney and other documents. From the above documents prima-facie it is proved that the applicant is owner of the said vehicle. I am of the view that there is no sufficient reason to detain the said vehicle.

05. The possibility of damage to the vehicle can not be ruled out. Except applicant no other person has claimed the seized vehicle. In

the case of, **Sundarbhai Ambalal Desai and C.M. Mudaliar Vs. State of Gujrat AIR 2003 SC 638**, it is held that, it would be justifiable to hand over the seized property to the applicant during the pendency of the trial. Considering the all above aspects, Therefore, I pass the following order.

:: O R D E R ::

01. The application is allowed.
02. The Investigation Officer is directed to take the FOUR colour photographs of the said **vehicle i.e. Mahindra & Mahindra Companies Tractor** bearing No. MH-44-Z-1438, Chassis No. MBNBEBDELMNH07187 and Engine No. NMH2UCE0329 seized by the Sirsala Police Station, in the Crime No. 198/2026 filed U/s. 303(2) of BNS. at the cost of the applicant and attach with the charge-sheet.
03. The Investigation officer is further directed to prepare Panchanama of said vehicle and submit to this Court along with the charge-sheet and handover the seized vehicle temporary to the applicant.
04. The applicant is also directed to execute an indemnity bond of ₹ 7,00,000/- (**₹ Seven Lack only**) each on the following conditions :-
 - A) That the above Vehicle should not be sold or disposed of in any way and shall be produced as and when the Court directs till the decision of the Crime.
05. The copy of said order be kept with **Crime No. 198/2026**.

Place : Parli Vaijnath.
Date : 14/08/2026.

(**D. Y. Rairikar**)
Judicial Magistrate F.C. (Court No. 1),
Parli Vaijnath.

:: Certificate of Stenographer ::	
“I affirm that the contents of this PDF file are word to word as per original Order.”	
Dictated On :	14/08/2026.
Transcribed On :	14/08/2026.
Checked & Signed On :	14/08/2026.
Date : 14/08/2026.	Sd/- (K. A. Ugale) Stenographer (Grade – 3) Civil Court (Junior Division) & J.M.F.C. Parli Vaijnath
Place : Parli Vaijnath.	