



Cri. M.A. No. 860/2026

Desu Somnath Jadhav
Vs. Police Inspector,

CNR No. MHSO030057212026

ORDER BELOW EXH.01

(Dt. 23/06/2026)

The applicant Desu Somnath Jadhav has filed an application under Section 503 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short "BNSS-2023") for return of two wheeler of Hero Motocorp Ltd., model HF Deluxe bearing registration No. MH-13/CP-3216, Chassis No. MBLHA11ATG9M34244 Engine No. HA11EJG9M15848, seized by State Excise Department, B-3 Division, Solapur in Crime No. 206/B-3/2026.

02. I.O. and Ld. APP have resisted the application by filing their say at Exh.05 and Exh.06 respectively on the ground that, the name of the original vehicle owner is yet not received from RTO, Solapur, the vehicle is seized while transporting illegal liquor, if the vehicle is returned to the applicant on supurtnama, he may again use the same in similar kind of offence and may create changes in its nature. Hence, prayed for rejection of the application.

03. Heard Ld. Advocate for the applicant. Perused the application, say and documents filed on record.

04. On perusal of documents on record, it transpires that the applicant has filed present application for release of two wheeler of Hero Motocorp Ltd., model HF Deluxe bearing registration No. MH-13/CP-3216, Chassis No. MBLHA11ATG9M34244 Engine No. HA11EJG9M15848. The applicant has filed affidavit along with the application. He has also filed verified copy of certificate of registration of this vehicle, verified copy of Aadhar Card of applicant, xerox copy of FIR and xerox copy of insurance policy along with the application.

05. Though the IO & Ld.A.PP. have taken objection to the application, but it appears that the aforesaid vehicle is seized by IO into the present crime, In case

of non returning the same it would lay idle at the premises of State Excise Department same will cause damage to the vehicle. Hence, in spite of rejecting the application some conditions can be imposed on the applicant. Thus, considering the aforesaid circumstances and documents on record, I am of the considered view that, the applicant is entitled for the interim custody of the aforesaid vehicle. In the result, I pass following order:

ORDER

01. Application is allowed.
02. The interim custody of two wheeler of Hero Motocorp Ltd., model HF Deluxe bearing registration No. MH-13/CP-3216, Chassis No. MBLHA11ATG9M34244 Engine No. HA11EJG9M15848 as described in para No. 01 of the application seized in crime bearing No.206/B-3/2026 by State Excise Department, B-3 Division, Solapur be given to the applicant on following terms and conditions:
 - (a) The applicant shall execute undertaking to produce the seized vehicle as and when directed by the Court, failing which, liability to pay penalty of Rs. 500/- (Rupees Five Hundred only) per occasion on failure to produce the aforesaid vehicle.
 - (b) The applicant shall undertake not to use the aforesaid vehicle for any illegal purpose.
 - (c) The applicant shall not dispose off, alienate, in-cumber, create third party right, modify, change it completely beyond recognition or part with possession of the aforesaid vehicle pending the trial.
 - (d) The applicant shall furnish photographs of the aforesaid vehicle displaying the colour, registration number as well as model number etc. and said photographs should be attested or countersigned by the applicant and the inquiry officer.
 - (e) Before handing over the possession of the aforesaid vehicle, detail proper panchnama of it be prepared.

(f) The applicant shall execute indemnity bond of Rs.40,000/- (Rupees Forty Thousand only) that, if he fails to obey the aforesaid conditions, he will liable to pay penalty of Rs.40,000/- (Rupees Forty Thousand only).

03. Inform concerned State Excise Department, B-3 Division, Solapur accordingly.

Place : Solapur

Date : 23/06/2026

(N. A. Mor)
7th Judicial Magistrate F.C.
(Prohibition Court), Solapur

:: CERTIFICATE ::

I affirm that the contents of this P. D. F. file of order are word to word,
as per its original.

Name of Stenographer	:	S. P. Parekar
Name of Court	:	Shri. N. A. Mor J.M.F.C., (Prohibition Court), Solapur
Decided on	:	23/06/2026
Signed on	:	23/06/2026
Uploaded on	:	23/06/2026