



ORDER BELOW EXHIBIT NO. 01 IN CRI.M.A NO. 88/2026
(Vilas Bandu Meshram Vs. State)

01. This is an application filed by applicant under section 503 of B.N.S.S, for the possession of Splendor Pro Motorcycle bearing registration number MH-40/AL-8844 which is seized by Police Station Veltur, in Cr. No. 138/2026

02. The applicant claimed the possession of seized motorcycle on the ground that he is registered owner of it. It is contended that if seized motorcycle is kept in unused condition then there is possibility of damage to its parts. So also, seized motorcycle is required for his daily use. Hence, he has prayed to hand over the custody of seized motorcycle.

03. The Investigation Officer has filed say at Exhibit No.5 and raised objection to released the motorcycle. Likewise, learned A.P.P has strongly objected the application.

04. Perused the record. Heard advocate for applicant and APP for State. The applicant has placed on record verified photocopy of R.C. Book, verified photocopy of Adhar Card and photocopy F.I.R. The R.C. shows that applicant is registered owner of seized vehicle. On perusal of say Exh.05 it reveals that claimed motorcycle has been seized in Crime No.138/2026

05. On perusal of record it reveals that present application is filed before this Court by the applicant on affidavit. On considering entire record it reveals that if the seized motorcycle is not released on temporary supurtanama, then its engine will be damaged. In view of the above aspects and ratio laid down by Hon'ble Apex Court in ***"Sunderbhai Desai Vs. State of Gujarat reported in AIR 2003 Supreme Court, 638"*** it is just and proper to return seized motorcycle to the applicant who is registered owner, on the

interim custody by imposing some conditions. Hence, I proceed to pass the following order.

ORDER

- 1] The application is allowed.
- 2] The seized Splendor Pro Motorcycle bearing registration number MH-40/AL-8844 be handed over to applicant Vilas Bandu Meshram who is the registered owner, till conclusion of the trial, on the applicant executing bond of Rs.50,000/- (Fifty Thousand Rupees only)
- 3] The applicant to undertake that he shall not sell or transfer the seized motorcycle without permission of the Court. The applicant to maintain and preserve seized motorcycle in all respects.
- 4] The applicant is directed to produce the seized motorcycle in the Court as and when required or called by the Court.
- 5] The supurtanama be executed before the investigation officer.
- 6] The Investigation Officer is directed that while releasing the seized motorcycle he should take photographs, prepare detail panchanama and send the same along with charge-sheet to this Court.
- 7] The released vehicle shall not be used in future in the same kind of offence.

Date :- 04.08.2026.

(P. K. Mutkule)
Judicial Magistrate F.C.,
Kuhi, Dist. Nagpur.

Certificate

I affirm that the contents of this PDF are same words to words, as per the original judgment .

Name of Stenographer : K. C. Mandavgade,
Name of Court : C.J.J.D. & J.M.F.C., Kuhl.