



CNR NO: GANGO40037932022

ORDER (Below Exhibit D-4)

***(Delivered on this 2nd day of the month of January
of the year 2023)***

This is an application for release of vehicle under Section 457 of the Criminal Procedure Code.

2. The applicant states that he is the owner of four wheeler Swift VDI vehicle bearing registration No.GA-03-W-3664. The applicant states that his car was attached by the officer of the Calangute Police Station in FIR No.177/2022 and said car is in the custody of the Calangute Police Station. The applicant states that he is willing to

obey and satisfy all conditions as imposed by the Court. It is therefore that the application is filed by the applicant.

3. Ld. APP. Mr. T. Pawar endorsed his say stating that since the vehicle bearing no.GA-03-W-3664 is the subject matter involved in the present crime, the said vehicle will be required at the time of trial for the purpose of identification as the entire case of the prosecution depends on the vehicle and as such considering the same the court may pass necessary order imposing strict conditions on the applicant so as to produce the same without tampering with it as and when required.

4. Heard Ld. Adv. Mr. K. Palienkar for the applicant and learned APP Mr. T. Pawar for the respondent. Perused the records and considered the arguments of the learned counsels.

5. The four wheeler Swift VDI vehicle bearing registration No.GA-03-W-3664 is attached under the panchanama. The chargesheet is filed in this case. The said four wheeler is not required for investigation. The four wheeler can thus be released to the applicant upon imposing appropriate conditions in order to avoid its deterioration, rusting and decay. It is therefore that the four wheeler Swift VDI vehicle bearing registration No.GA-03-W-3664, is ordered to be released to the applicant upon executing indemnity bond of Rs.1,80,000/- and upon the following conditions:

(i) The applicant shall not change the appearance of the vehicle or change its colour or modify its appearance in any manner whatsoever till the disposal of the trial.

(ii) The applicant shall not sell, pledge or transfer the vehicle to any person in any manner whatsoever till the disposal of the trial.

(iii) The applicant shall produce the vehicle as and when required by the Court at the time of trial.

Pronounced in the Open Court.

(Reina S. Fernandes)
*Judicial Magistrate, First Class,
'B' Court, Mapusa.*

rpn*