

Cri. M.A.No. 608/2022
Rohit Vs. State
MHPU23-002896-2022

ORDER BELOW EXH.01

[Passed on 20/10/2022]

This is an application filed U/s. 457 of Code of Criminal Procedure, 1973 by the applicant seeking the release of his four wheeler vehicle bearing registration no. MH-14-KA-3109.

2. Perused an application as well as documents filed along with the application. The say is not filed by the Investigating Officer. The applicant has further filed affidavit in support of the application vide Exh.07. The applicant has filed document of registration in respect of vehicle vide Exh.04 and copy of Adhar Card at Exh.06.

3. Heard the counsel for applicant and the Learned A.P.P at some length. Investigating officer has no objection to release the vehicle in favour of applicant.

4. It appears to me that the muddemal vehicle is seized by the Police Station Chakan in Crime No.1507/2022 registered for the offences punishable u/s. 308, 457 of Indian Penal Code. The document of registration of the vehicle at Exh.04 shows that the vehicle is owned by the applicant.

5. Thus, in the given circumstances, I find that the applicant is rightful claimant of the vehicle. If the vehicle is kept in the police station for a long time then it will result in scrap. Under such circumstances, no purpose will be served by keeping the vehicle in idle condition at police station. Therefore, it will be proper to hand over the custody of vehicle and above muddemal in favour of applicant. In the

result, I pass following order.

ORDER

- [a] Application is allowed.
- [b] The police station officer of Chakan police station is hereby directed to release the four wheeler bearing registration No. MH-14-KA-3109 in favour of applicant Rohit Ramchandra Bhosale after executing the indemnity bond of Rs.05,00,000/-.
- [c] Applicant shall not use the vehicle in any crime in future.
- [d] Applicant shall not change the nature as well as colour of the vehicle.
- [e] Applicant shall file the two photographs of vehicle which are taken from two different angles in which the vehicle number shall be visible.
- [f] Applicant shall not sell or dispose of the property i.e vehicle without prior permission of the court.
- [g] Applicant shall preserve the property i.e vehicle in all respects.
- [h] Applicant shall undertake that she will produce the vehicle before I.O. and Court as and when directed and he shall also produce copies of R.T.O. related documents to the I.O. without fail, if any, on requisition before release of vehicles.
- [i] Copy of this order and application be sent to concerned police station for compliance.

Dt.20/10/2022

Sd/-xxx
(Devendra B. Patange.)
Judicial Magistrate First Class,
Court No.2,Khed-Rajgurunagar.

CERTIFICATE

I affirm that the contents of this PDF file Judgment/order are same word for word as per original Judgment/order.

Name of Stenographer	Shri. S.S. Shirode (Grade – III)
Court Name	Shri. Devendra B. Patange 2 nd Jt. C.J.J.D.& J.M.F.C. Khed-Rajgurunagar, Dist. Pune.
Date of Judgment/order	20-10-2022
Judgment/order signed by Presiding Officer on	20-10-2022
Judgment/order uploaded on	21-10-2022