

MHPU090055452026

Cri.M.A.No. 983/2026



Govind Vishwambhar Suravase
Vs.
State of Maharashtra

ORDER BELOW EXH. 1

(Delivered on 04th August 2026)

This is an application filed by the applicant **Govind Vishwambhar Suravase** under Section 503 of Bharatiya Nagarik Surksha Sanhita, 2023 for return of vehicle.

02. The applicant has contended that, he is the owner of the seized vehicle i.e. **TATA ACE GOLD DIESEL BS VI MODEL** bearing registration No. MH-14-JL-3068, Bearing Chassis No. MAT559014MVC16644, Engine No. 700CCDI02CYXS27907 seized by MIDC Bhosari Police Station in C.R.No.286/2026 offence u/Sec.306,317(2), 3(5) of BNS.

03. Learned APP and I.O. filed their say and resisted the application on the ground that vehicle is seized in the serious offence. There is possibility of alienation of seized property.

04. I have given anxious consideration to the submissions of both sides. I have also minutely gone through the documents enclosed with application. First of all, as far as documents of title in respect of seized vehicle is concerned, the applicant has filed copy of registration certificate, copy of Aadhar Card, copy of FIR along with list at **Exh.03**. It is seen that the applicant is the registered owner of the seized vehicle. Thus, as far as ownership is concerned, in my opinion, there is prima-facie evidence that applicant is the registered owner of the

seized vehicle.

05. Thus, in view of aforesaid discussion, coupled with fact that if the vehicle is kept idle in the police station, the possibility of damaging, diminishing the value and utility of seized vehicle can not be rule out. No any another person other than applicant to claim seized property. In such circumstances in view of above discussion and ratio laid down by **Apex Court in the case of Sundarbhai Ambalal Desai Vs. State of Gujarat [(2002) 10 SCC 283]** it would be just and proper to allow the application and handover the custody of seized vehicle to the applicant on imposing the terms and conditions. Hence, I do not find any obstacle to allow the application. Hence, I pass the following order :-

ORDER.

(A) Application is allowed.

(B) The seized vehicle i.e. **TATA ACE GOLD DIESEL BS VI MODEL** bearing registration No. MH-14-JL-3068, Bearing Chassis No. MAT559014MVC16644, Engine No. 700CCDI02CYXS27907 seized by MIDC Bhosari Police Station in C.R.No.286/2026 offence u/Sec.306,317(2), 3(5) of BNS be handed over to the applicant on executing indemnity bond of Rs.4,00,000/- (Rupees Four Lakhs only) with following conditions that :-

- i. He shall not sell or transfer the seized vehicle without the prior permission of the Court.
- ii. He shall not hire or give the seized vehicle to any person in the future.
- iii. The applicant shall produce the said seized vehicle in the Court as and when directed.
- iv. He shall not change the nature of the property.

- v. The applicant shall not dispose off, sell, mortgage, hypothetical or create any third party interest on the said vehicle or change the nature of it including colour of the said vehicle in any manner without prior permission of the court.
- (C) I.O. is directed to conduct the detailed panchanama of seized vehicle along with coloured photographs at the cost of applicant and get it counter signed by the applicant and submit it on record of the case. Investigation officer is directed to file copy of the panchanama and this order alongwith chargesheet.
- (D) Indemnity Bond before Investigating Officer.
- (E) Issue letter accordingly to the Investigating Officer/Police Station Officer.

Pimpri, Pune.
Date : 04.08.2026

(Smt S.S. Chavan)
Judicial Magistrate First Class
Pimpri, Pune

CERTIFICATE

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

Name of the Stenographer	:-	R.A. Londhe[Steno III]
Name of the Court	:-	Smt.S. S. Chavan J.M.F.C., Pimpri Pune.
Date	:-	04.08.2026
Order signed by the Presiding Officer on	:-	04.08.2026
Order uploaded on	:-	04.08.2026