



ORDER PASSED BELOW EXH.01
IN O.M.C.A. NO.33/2026
(Jayram Vs. State)

01] The applicant Jayram Keshavrao Narwade R/o. Raher, Tq. Naigaon (khai) Dist. Nanded has filed this application under Section 503 of Bharatiya Nagarik Suraksha Sanhita for interim custody of seized property by Police Station, Dharmabad.

02] The applicant submitted that the Police Station, Dharmabad had Mahindra Tipper vehicle in crime No.57/2026, under Sections 303(2), 3(5) of B.N.S. and section 139, 177, 130(1) of M.V. Act.

Description of the property claimed to be returned –

Property	Mahindra Tipper
Registration No	MH 17 BD 5238
Engine no	BAG2G16279
Chassis No.	MA1QDAHRCG6G48567

03] The applicant further submitted that, said Mahindra Tipper is owned by him. The said seized Mahindra Tipper is kept by the Police Station, Dharmabad in open sky, it is every possibility to damage the wheels of vehicle. Therefore, he prays grant the interim custody of said seized vehicle.

04] The learned A.P.P. resisted the application by filing say. She submitted that, the muddemal is crucial evidence for the prosecution. There will be chance to tamper the prosecution evidence. Executive Magistrate did not take any action. Hence, application may kindly be rejected.

05]. The Investigation Officer filed his say at Exh.05 he prayed

that, the application may kindly be rejected.

06] The F.I.R. was lodged for the offence punishable under Section 303(2), 3(5) of B.N.S. and section 139, 177, 130(1) of M.V. Act.. The F.I.R. was registered with the police. Therefore, the analogy of 503 of the Bharatiya Nagarik Suraksha Sanhita attract the present application.

07] Heard both the side. Perused the registration certificate of seized vehicle. It shows that the applicant is register owner of Mahindra Tipper. The P. S., Dharmabad seized Mahindra Tipper in crime No.57/2026. The seized property is required to the applicant for daily use. He is ready to abide terms and conditions imposed by this Court. The seized vehicle lying in the police station. It is every possibility to damage the said vehicle, if it kept lying in police station. The trial would not be concluded in near future. Considering the nature of seized property, it's protection, guarding and safe custody is not reasonably practicable. Looking into nature of seized property, it may be lose its worth and value. As the applicant has shown his ownership over the seized property. Therefore, I am of the opinion that the applicant is entitled for interim custody of the seized Mahindra Tipper. Moreover, this order does not effect on the power of Revenue Officer to take appropriate action against to applicant in accordance with law. Hence, I pass the following order.

-:- ORDER -:-

01] The application is allowed.

02] The Mahindra Tipper having registration No. MH 17 BD 5238 (Chassis No. MA1QDAHRCG6G48567) seized by Dharmabad Police Station, in connection with Crime No.57/2026 be return to applicant on his executing

'Supurtnama' of Rs.15,00,000/- (Fifteen lac only).

- 03] The applicant shall not use or permit using the vehicle in such manner likely to reduce its value;
- 04] He shall not, in any way, transfer ownership of the vehicle to any third person without prior permission of the Court.
- 05] He shall produce the seized property before the Court and shall make it available to the Investigating Officer, as and when required.
- 06] Before release of vehicle, three coloured photographs of the same, taken from different angles clearly displaying registration number and other particulars of the vehicle, shall be kept on record at the expenses of applicant.

Dated:- 31/07/2026

(S. M. Kolekar)
Judicial Magistrate First Class,
Dharmabad.

C E R T I F I C A T E	
“I affirm that the contents of this P.D.F. file order are same, word to word, as per the original Order”	
Name of the Stenographer	G. B. Wavdhane- (Grade-III)
Name of the Court	Judicial Magistrate F.C. Dharmabad
Order Date	31-07-2026.
Order signed by the presiding officer on	31-07-2026.
Order uploaded on	31-07-2026.