



MHWS080013032026

Cri.M.A. No.158/2026

Sunil Sanap ..Vs.. State

ORDER BELOW EXH. 01

Perused the application say also perused and the documents filed along with it.

2] This is an application filed by the applicant namely Sunil Pralhad Sanap for returning of his motorcycle bearing registration No. MH-37-Z-7973. The Ld. Counsel for the applicant submitted that, the investigation in crime is likely to be concluded in near future.

3] The applicant has filed the following documents :-

- a) Xerox copy of F.I.R.
- b) Verified copy of Adhar Card.
- c) Verified copy of R.C. Book.

4] It is submitted by the applicant that, applicant is the registered owner of the vehicle and also uses the said vehicle for his daily work and he requires the same. He further submitted that, if the vehicle lying in the custody of police then it would result in deterioration of its condition and value. Therefore, he prayed for interim custody of said vehicle upon certain conditions and he assured to abide by.

5] The Investigating Officer has filed his say on Exh.No.7. He opposed the application and praying to reject the application.

6] Ld. A.P.P. has filed her say on overleaf of Exh.7 and resisted the application. He contended that the said seized vehicle was used in the commission of an offence. Vehicle is an important evidence in investigation. The vehicle is involve in present crime. Lastly he prayed to reject the application.

7] From the documents it appears that applicant is owner of seized vehicle. Moreover, no person has preferred adverse claim against the applicant in respect of said vehicle.

8] From the documents it appears that applicant is owner of vehicle. If said vehicle has been kept lying in the police station, If such vehicle is kept continued, then possibility of damage or rusting of the vehicle cannot be ruled out. The commencement and conclusion of trial in the near future is not in the sight. Therefore it would be just and proper to hand over the interim custody of the said vehicle to the applicant. However, the trial would necessitate the production of the vehicle. Therefore it needs to be released on certain terms and conditions. Therefore I proceed to pass the following order.

ORDER

- 1] Application is allowed.
- 2] The muddemal property i.e. Motor Cycle bearing registration No. No. MH-37-Z-7973., seized by Excised department Washim in Crime No.46/2026 be given in custody of the applicant till the conclusion of the trial, after verifying the registration number, chassis number and engine number of the vehicle, on the following conditions -
 - a) The applicant shall execute indemnity bond of Rs.30,000/-.
 - b) The applicant shall produce the above vehicle in the Court as and when this Court requires by it's order.
 - c) The applicant should not alienate, dispose off or change the structure or nature of said vehicle in any manner till the final decision of case filed under Crime No.46/2026.
 - d) The applicant shall not use the said vehicle committing in any offence.
- 3] The Investigating Officer is directed to prepare the detailed panchanama and to take the photographs of seized vehicle covering various dimensions before handing over to the applicant at the cost of applicant.
- 4] The Investigating officer is directed to send the above suprutnama and indemnity bond executed by the applicant and above mentioned panchnama along with charge-sheet.
- 5] Issue letter to the concerned Police Station accordingly.

Date: 07/08/2026

(Dinesh M. Gaikwad)
Judicial Magistrate, F.C.
Court No.2, Risod.

CERTIFICATE

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	: Smt. D. B. Rithe, (Jr. Clerk)
Name of court	: 2 nd Jt. C.J.J.D. & J.M.F.C., Risod.
Date	: 07/08/2026
Order signed by the Presiding Officer	: 07/08/2026
Order uploaded on	: 07/08/2026