

Cri. M.A. No. 01/2018
U/sec. 457 of Cr.P.C.

ORDER BELOW EXH. 1

1. This is an application filed by applicant Ishwarsingh Moresingh Chavan, R/o. Nanda Tanda, Tq. Soygaon, Dist. Aurangabad U/Sec. 457 of Criminal Procedure Code for return of property i.e. Motorcycle Bearing Registration No. MH-20-ET-4590, seized in Crime No. 156/2017 of Police Station, Fardapur.

2. Say of I.O. & Ld. APP was called. Ld. APP and I.O. have no any serious objection to handover the seized property to the original owner.

3. Perused the application, say filed thereon and documents filed on record. Heard Ld. Counsel for the applicant. On perusal of the xerox copy of the Registration Certificate, it appears that, applicant is the owner of seized property Motorcycle Bearing Registration No. MH-20-ET-4590. Moreover L.N.T. Finance Ltd. also given no objection to hand over the above mentioned property to the applicant. Under such circumstances, no purpose would be served to keep the said property in idle condition any longer. Hence, in my opinion, the applicant is entitled for custody of seized property i.e. Motorcycle Bearing Registration No. MH-20-ET-4590, seized in Crime No. 156/2017 of Police Station, Fardapur on certain conditions. Hence, following order is passed.

ORDER

- A) Application is allowed.
- B) The seized property Motorcycle Bearing Registration No. MH-20-ET-4590, seized in Crime No. 156/2017 of Police Station Fardapur be given in the custody of applicant on his executing indemnity bond of Rs. 60,000/-(Rupees Sixty Thousand only) on following conditions :-
- i) That the applicant shall not alienate or create any charge in any manner on the said Motorcycle Bearing Registration No. MH-20-ET-4590, seized in Crime No. 156/2017 of Police Station Fardapur till final decision of Crime No. 156/2017 of Fardapur Police Station.
 - ii) That the said Motorcycle Bearing Registration No. MH-20-ET-4590, seized in Crime No. 156/2017 of Police Station Fardapur should be kept as it is and its nature should not be changed in any way till final decision of Crime No. 156/2017 of Fardapur Police Station.
 - iii) That the same shall produce as and when directed either by Court or by Investigating Officer.
- C) The applicant shall co-operate during the investigation.
- D) The applicant shall execute an indemnity bond, snapped photographs of the seized Motorcycle Bearing Registration No. MH-20-ET-4590 from each side and hand over the same to the concerned Investigating Officer.

Date-12.01.2018.

Sd/-
(S.S. Salwe)
Judicial Magistrate F.C.,
Soygaon.

CERTIFICATE

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

Name of the Stenographer :- Bhakti Madhavrao Tak.

Court :- C.J.J.D. & J.M.F.C., Soygaon.

Date :- 12/01/2018

Judgment signed by the
Presiding Officer on :- 12/01/2018

Judgment uploaded on :- 12/01/2018