

**Order Below Exh. 01**

1. Perused the application (Ex.01). The application is supported by the affidavit of applicant (owner).

2. The I.O. vide Ex.07 given his say. He has no objection for return of property. A.P.P. has filed his say and he objected the application on the ground of seriousness of offence.

3. On perusal of documents placed on record such as verified copies of vehicle information (showing Mr. Ramesh Jadhavar as owner), True copy of R.C book and insurance papers. It reveals that Ramesh is owner of the vehicle. Thus now the applicant prima facie appears to be owner of the INNOVA vehicle bearing registration No. MH-25-R-2991 engine no.2KD6265447 and Chassis no. MBJ11JV4007162765020. The seized vehicle is the property involved in crime no.213/2017 for the offence punishable under section 452,354,324 R/W. 34 of the IPC.

4. It is stated that the vehicle is useful in daily transport. Therefore, if it is kept lying in police station, huge loss will be caused to the applicant and there is likelihood of damage to the vehicle. Hence, no purpose would be served in keeping the seized vehicle lying in the Police Station. Hence, in view of authority of Hon'ble Apex Court in Sunderbhai Ambalal Desai Vs. State of Guj, 2003. All MR (Cri) 363(SC),and Considering say of I.O., I proceed to pass the following order.

**ORDER**

1. Application is allowed.
2. The interim Custody of INNOVA vehicle bearing registration No. MH-25-R-2991 engine no.2KD6265447 and Chassis no. MBJ11JV4007162765020. be handed over to applicant Ramesh Vitthal Jadhavar on executing indemnity bond of Rs.05,00,000/- Five lakh.
- 3 The applicant to undertake that, he shall not sell, transfer or change the nature of the seized INNOVA Car without prior permission of the Court .
4. The applicant to maintain and preserve the same in all respect and shall produce it before this Court as and when directed.
5. The I.O. is directed to take its photograph and submit along with Charge sheet .

Date:04.01.2018

(D.T.Patil)  
Judicial Magistrate F.C.Washi.