
ORDER BELOW EXH. 1 IN CRI. M.A. NO. 01/2018
(CNR NO. MHOS150000012018)
(SACHIN KARALE V/S. STATE)

1. By this application the applicant Sachin Dhanaji Karale is seeking interim custody of Royene Royal Enfield Motors Company's Bullet STD Motorcycle bearing registration No. MH/25/AE/7401 which is seized by Paranda Police Station in C.R. 118/2017. The learned App has contended that there is possibility that the applicant will not produce the said vehicle before court, however he has no objection if applicant is ready to abide all conditions. The Investigating officer has filed his say at Exh. 5 & submitted that he has no objection to handover custody of said Motorcycle to applicant after imposing appropriate terms and conditions. The I.O. has filed copies of spot panchanama and seizure panchanama.

2. The applicant has filed affidavit in support of this application & stated that he is the owner of said vehicle. The applicant has produced copy of vehicle information issued by RTO, Osmanabad and FIR. Considering the documents it appears prima facie that the applicant is the registered owner of said vehicle. It can be said that applicant is entitled for interim custody of said vehicle. No purpose will be served by keeping vehicle at police station, as machinery will best preserve in running conditions. Therefore, it will be just and proper to allow this application on certain terms and conditions. Hence, I pass following order:

ORDER

- 1) The application is allowed.
- 2) Royene Royal Enfield Motors Company's Bullet STD Motorcycle bearing registration No. MH/25/AE/7401 (Chassis No. ME3U3K5COGA996584 and Engine No. U3K5COGA996584) which is seized by Paranda Police Station in C.R. 118/2017 be handed over to applicant on executing indemnity bond of Rs. 80,000/- (Eighty thousand only).

- 3) Applicant to produce said vehicle as and when required by this Court during trial.
- 4) Applicant shall undertake not to part with said vehicle & not to create third party interest.
- 5) Applicant shall undertake not to change nature of vehicle.
- 6) Investigating officer to prepare handing over panchanama of said vehicle mentioning its detail and capture photographs from all angles on the costs of applicant and submit it.
- 7) Panchanama and present proceeding shall form part of charge sheet filed if any.
- 8) A copy of this order be kept with the C.R.No.118/2017.

Date 09/01/2018

Sd/-
(Sachin S. Patil)
J.M.F.C.Paranda,
Dist. Osmanabad.