

Order below Exhibit No. 1 in Cri. M.A.No. 1/2018

- 1- The present application is made by applicant for release of Mahindra & Mahindra Max Jeep having registration No. MH-22-V-0133.
- 2- Perused application, say filed by Officer In-Charge of Police-station, Manwat and learned A.P.P. and documents annexed with the application.
- 3- Heard Mr.D.D. Magar, learned Advocate for applicant and learned A.P.P.
- 4- It is contention of applicant that, Mahindra & Mahindra Max Jeep having registration No. MH-22-V-0133 belongs to him. It was steal away from his house by unknown person. Accordingly, he lodged report at Police-station, Manwat. On the basis of his report crime No.245/17 came to be registered. However, during investigation, said jeep found at Nanded. It is lying at the premises of Police-station, Manwat, therefore, possibility of causing damage to its spare parts may not be ruled out. However, he is ready to abide by conditions imposed by this Court and as such, prayed for release of the same in his favour.
- 5- In support of the application, applicant filed affidavit and has filed following documents:
 - a- Copy of First Information Report in crime No.245/17 registered at the instance of applicant,
 - b- Copy of registration certificate of said jeep,
 - c- Copy of driving licence,
 - d- Copy of Insurance,
 - e- Copy of Aadhar card issued by Government of India in the name of applicant.
- 7- On the other hand, Investigation Officer and learned APP did not oppose to release the same in favour of applicant. However, learned APP prayed to release the same on considering documents filed in support of contention.

8- On perusal of documents, prima-facie, it appears that, applicant is the owner of said jeep. Being registered owner of the same, he has also filed affidavit in support of the same stating that, it was seized from his possession. Moreover, it is lying at Police-station, Manwat. Therefore, possibility of causing damage to its parts may not be ruled out. However, the trial would also take its time. Therefore, it is desirable to release the same in favour of applicant. As such, there are no obstacles to release the same in favour of applicant. Hence, following order.

Order.

1. The application is allowed.
2. The vehicle Mahindra & Mahindra Max Jeep having registration No. MH-22-V-0133 be handed over to the applicant on his executing an indemnity bond of Rs. 1,50,000/- (Rs. One Lac Fifty Thousand only) till termination of the trial on following conditions.
 - a- He shall not alter, change the said vehicle in any manner.
 - b- He shall produce the same as and when directed by the Court.
3. Officer In-Charge of Police-station, Manwat is directed to handover custody of above said jeep to applicant by obtaining above said indemnity bond and filed the same along with charge-sheet.

Date: 09.01.2018

(J.G. Wagh)
Judicial Magistrate, First Class,
Manwat.