

Vidya Amin.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO. 919 OF 2018

Bhakti Bharat Patil	...	Applicant
VS.		
The State of Maharashtra	...	Respondent

Mr. Y.B. Purwant i/b. V.V. Purwant, Advocate for the applicant.
Mr. A.R. Patil, APP for the respondent/State.

**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: 28th November, 2018**

P.C. :

Upon mentioning, taken on production board.

2. This Application is moved by the applicant for return of property, i.e., Maruti Suzuki Vitara Brezza.

3. The applicant is the wife of the accused, in whose name the seized property, i.e., Maruti Suzuki Vitara Brezza bearing No. MH-04/HM/7474, Engine No. D13A2796636 Chassis No. MA3NYFB1SGC105401 is to be returned, as the said vehicle was seized by the police on 12th March, 2018 in C.R. No. 475 of 2016 where the offence is registered under section 302 r/w. 34 of the Indian Penal Code.

4. The learned counsel for the applicant submitted that the learned Additional Sessions Judge, Thane by order dated 11th July, 2018 has rejected her Application for return of property.
5. Learned APP submits to the order of the Court.
6. Perused the record. There is nothing to show any nexus of the car and the offence of murder. The learned Additional Sessions Judge ought to have allowed the Application. The police should not have seized the car. The order of the learned Additional Sessions Judge, Thane dated 11th July, 2018 is set aside. The car bearing No. MH-04/HM/7474 is to be returned to the applicant either today or tomorrow.
7. Criminal Application is allowed and is accordingly disposed of.

(MRIDULA BHATKAR, J.)