



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 1684 OF 2025

Devendra Jagdish Khattar
Age : 36 years, Occu : Business,
R/o. Balaji Bhavan, Talreja Nagar,
Post Office Road, Jalna

...PETITIONER

VERSUS

The State of Maharashtra,
Through the Police Inspector,
Pishore Police Station,
Tq. Kanna,
Dist. Chhatrapati Sambhajinagar

...RESPONDENT

Mr. Hon Ashwin Vinayak, Advocate for the Petitioner/Applicant/Appellant.
Mr. S. S. Dande, APP for Respondent – State.

CORAM : ABHAY J. MANTRI, J.
DATE : DECEMBER 18, 2025

JUDGMENT :

1. Heard. **Rule.** Rule is made returnable forthwith and heard finally by consent of the learned counsel for the parties at the admission stage.
2. The petitioner, being dissatisfied with condition Nos. 2 and 3 imposed by the learned Additional Sessions Judge, Aurangabad, by order dated 18th November 2025, passed below Exhibit 1, whereby a condition was imposed to furnish the bank guarantee of ₹ 20,00,000/- for release of the vehicle in question, has approached this Court.

3. Having heard the learned counsel for the petitioner and the learned APP for the respondent – State and gone through the impugned order,

at the outset, it appears from the FIR that, due to money transactions between the two parties, the Investigating Officer seized the vehicle (Mahindra Thar) bearing registration No. MH01-EB-0050. According to the petitioner, the imposition of a condition to furnish a bank guarantee to the extent of ₹20,00,000/- for a period of five (05) years is an unreasonable and harsh condition. Therefore, he urged the relaxation of the said condition.

4. On the other hand, learned APP opposed the relaxation of the said conditions; however, I do not find any substance in his contention. Considering the facts of the case, in my view, the imposition of condition Nos. 2 and 3 directing the petitioner to furnish a bank guarantee of ₹20,00,000/- for a period of five (05) years is unreasonable and harsh. Therefore, in my view, the same is liable to be set aside.

5. As a result, the petition is partly allowed. Imposition of Condition as per clause No.2, to the extent of furnishing of a bank guarantee of ₹ 20,00,000/- for a period of five (05) years, is hereby quashed and set aside. However, it is made clear that the rest of the conditions in clause No.2 shall remain intact.

6. Consequently, the conditions in clauses No. 2, 3, and 4, to the extent of furnishing a bank guarantee, are also ineffective and deleted accordingly. The rest of the order shall stand confirmed.

7. In view of the above, the Rule is made partly absolute. There shall be no order as to costs.

8. The learned Trial Court shall be informed accordingly.

(ABHAY J. MANTRI, J.)