

Harish

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

WRIT PETITION NO. 4427 OF 2025

Mauli Vilas Salaskar

...Petitioner

Versus

The State Of Maharashtra

...Respondent

HARISH
VITHAL
CHAUDHARI

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by HARISH
VITHAL
CHAUDHARI

Date:
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Mr. Ritesh Thobde a/w Mr. Changdev Shingade, Mr. Darshan
Singh Rajpurohit, Mervin Bardeskar for the Petitioner.
Ms. Veera Shinde APP for the State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 30th SEPTEMBER, 2025

P.C.:

1. The challenge in this writ petition is the order passed by learned Extra Joint District Judge, Pandharpur below Exhibit-3 in Sessions Case No. 176 of 2024 dated 31th July, 2025 rejecting the application of the applicant for custody of the vehicle in question i.e. Cement Mixer bearing Chasis No.AF1ARG23AJN000412.

2. It is the contention of learned counsel for the applicant that the above vehicle is seized by the police under the offences punishable under Section 105, 106, 125(A), 125(B), 281,

336(3) and 340(2) read with section 3(5) of the Bhartiya Nyay Sanhita, 2023. The applicant is the owner of the said vehicle and he needs the said vehicle for his business purpose. The applicant has registered the vehicle in his name. Hence, requested to allow the application.

3. It is the contention of learned APP that due to dash of the above vehicle, death of one person caused. At the time of incident, the said vehicle was unregistered. Now, the applicant has complied all the formalities. Hence, requested to pass appropriate order.

4. I have heard both the counsel. Perused the documents produced on record.

5. The offending vehicle is registered in the name of the applicant. Investigation is completed. Charge-sheet has been filed. Applicant needs the said vehicle for business purpose. Considering these facts, I pass the following order:

ORDER

- I. Petition is allowed.
- II. The order passed by learned Extra Joint District

Judge, Pandharpur below Exhibit-3 in Sessions Case No. 176 of 2024 dated 31th July, 2025 is hereby quashed and set aside.

III. the vehicle in question i.e. Cement Mixer bearing Chasis No.AF1ARG23AJN000412 be released as per the procedure of law and after executing the indemnity bond.

6. Writ Petition disposed off.

[SHIVKUMAR DIGE, J.]