



**IN THE COURT OF JUDICIAL MAGISTRATE FIRST CLASS,**  
**DAMAN**

Cri.M.A. No. 30/2026

Cr. No. 73/2025  
Kachigam Police Station, Daman

Yadauraj Bhagwandeen

V/s.

State

**Order Below Exh. 01**  
(Passed on 21-02-2026)

1. Perused the application and the documents filed along with it. The application is supported by the affidavit of partner of applicant. Yadauraj Bhagwandeen have requested to release the vehicle being TVS Apache RTR 160 bearing registration number DD-03-Q-8848 having Chasis number MD634BE87S2F00008 Engine number CE8ES2139653.
  
2. Investigating officer has given no objection for release of above seized vehicle. Ld. APP filed say necessary order may be passed in the interest of justice.
  
3. Applicant has filed the following document : -
  - (a) Verified copy of Registration Certificate.
  - (b) Photocopy of Insurance policy.



- (c) Verified copy of Aadhaar Card.
- (d) Certified copy of FIR.
4. No purpose would be served in keeping the vehicle lying in the Police Station. If the seized vehicle is kept lying unattended and unused at Police Station, then there is a very possibility of the damage to the vehicle cannot be ruled out, if kept lying in the Police Station.
5. Considering all these facts and directions laid down by the Hon'ble Supreme Court in Sundrabhai Ambalal Desai Vs State of Gujarat reported in AIR 2003, Supreme Court 638, it will be just to hand over the interim custody of the seized vehicle to the applicant. There is no point in keeping the vehicle. As the applicant has shown his ownership over the seized vehicle, he is entitled for the possession of the same. It will be appropriate to release the vehicle on following terms and conditions. In the result following order is passed.

### ORDER

- 1) The application is allowed.



- 2) The seized vehicle being TVS Apache RTR 160 bearing registration number DD-03-Q-8848 having Chasis number MD634BE87S2F00008 Engine number CE8ES2139653 be handed over to the applicant, till the conclusion of the trial on the applicant executing indemnity bond of Rs.1,00,000/- (Rupees One Lakh only).
- 3) The applicant to undertake that, he shall not sell or transfer the said vehicle without the prior permission of the Court. The applicant to maintain and preserve the vehicle in all respect.
- 4) The applicant shall produce the vehicle in the Court as and when directed.
- 5) The applicant shall not change the nature of the above said vehicle so as to loss its identity.
- 6) The applicant shall not used the said vehicle committing the same type of offence.
- 7) The concerned Investigating Officer is thereby directed to prepare detailed panchnama to the said vehicle before releasing it in favour of the



applicant on Supratnama and take its photographs, at the expenses of applicant, counter sign by the applicant.

- 8) The Investigating Officer is directed to send the above mentioned panchnama along with charge sheet or during the trial.

Place : Daman  
 Date : 21-02-2026

**(Omkar J. Kulkarni)**  
 Judicial Magistrate First Class,  
 Daman.

**CERTIFICATE**

I affirm that the contents of this P.D.F. file judgment/order are same, word to word, as per the original Judgment/Order.

Name of Stenographer	:	Dhammapal E. Govande
Court	:	CJJD & JMFC, Daman
Date	:	21-02-2026
Judgment/Order signed by the Presiding Officer on	:	21-02-2026
Judgment/Order uploaded on	:	21-02-2026