



**Judgment of the Court (Sixth Chamber) of 4 June 2026 (request for a preliminary ruling from the
Varhoven administrativen sad – Bulgaria) – CY v Vremenno preznaznachen na dlazhnost nachalnik na
03 Rayonno upravlenie na Stolichna direktsia na vatreshnite raboti**

(Case C-326/25, ⁽¹⁾ 03 Rayonno upravlenie na SDVR)

**(Reference for a preliminary ruling – Area of freedom, security and justice – Police cooperation – Schengen
Information System – Decision 2007/533/JHA – Regulation (EU) 2018/1862 – Alert on a motor vehicle
for the purposes of seizure or use as evidence in criminal proceedings – Order to surrender a vehicle for
which an alert has been issued in the Schengen Information System – National legislation precluding the
person who was in possession of the object for which an alert has been issued from participating in the
administrative and judicial procedure for the surrender of the object to the issuing Member State)**

(C/2026/3816)

Language of the case: Bulgarian

Referring court

Varhoven administrativen sad

Parties to the main proceedings

Applicant and appellant: CY

Defendant and respondent: Vremenno preznaznachen na dlazhnost nachalnik na 03 Rayonno upravlenie na Stolichna direktsia na vatreshnite raboti

Operative part of the judgment

Article 39 of Regulation (EU) 2018/1862 of the European Parliament and of the Council of 28 November 2018 on the establishment, operation and use of the Schengen Information System (SIS) in the field of police cooperation and judicial cooperation in criminal matters, amending and repealing Council Decision 2007/533/JHA, and repealing Regulation (EC) No 1986/2006 of the European Parliament and of the Council and Commission Decision 2010/261/EU,

must be interpreted as meaning that national rules relating to the adoption of a measure for the surrender of an object for which an alert has been issued in the Schengen Information System on the basis of Article 38 of that regulation, by a decision of the competent authorities of the executing Member State in response to the request of the issuing Member State, do not come within the scope of that regulation.

⁽¹⁾ OJ C, C/2025/4435.