

GAHC010011302024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Crl.Pet./199/2024

HASEN ALI
S/O ABDUL KHALIQUE
R/O VILL- HOUSE NO. 7, PRAGATI PATH, MIYAJAN NAGR,
SIJUBARI MAZAR
P.S. HATIGAON,
DIST. KAMRUP (METRO), ASSAM

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR P K BASU

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 22.02.2024

Heard Mr. P.K. Basu, learned counsel appearing for the petitioner and
Mr. D. P. Goswami, learned Additional Public Prosecutor appearing for the State.

This is an application under Section 482 Cr.P.C. against the impugned

order dated 02.08.2023 passed by the learned CJM, Dhemaji, in connection with GR No. 141/2023 with reference to Dhemaji P.S. Case No. 45/2023 by rejecting the prayer of the petitioner for custody of a vehicle.

I have perused the order dated 02.08.2023. It appears that the zimma petition was rejected. However, the investigating officer is at liberty to release the seized articles in the zimma to the legal owner by complying all the legal requirements, if the same is not required for the purpose of investigation.

According to the learned counsel for the petitioner that the investigating officer is not available in the police station and the vehicle is also kept in the police station for a longer period of time.

In view of above, the present petition is disposed of with a direction to the petitioner to approach before the learned trial court and if any application is filed for zimma, the same will be considered by the learned trial court as per provision of law.

JUDGE

Comparing Assistant