

GAHC020002832024



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

Case No. : Crl. Pet./21/2024

MRS. D LOSA MAO
W/O LATE Y. ATHILI MAO
R/O SHAJOUBA VILLAGE TADUBI
SENAPATI, MANIPUR-795104

VERSUS

STATE OF NAGALAND
NAGALAND KOHIMA

For the Petitioner(s) : Mr. Pakinrichapbo, Advocate

For the Respondent(s) : Mr. V. Zhimomi, Addl. P.P.

**BEFORE
HON'BLE MR. JUSTICE DEVASHIS BARUAH**

ORDER

Date : 11.06.2024

This is an application filed by the wife of the owner of vehicle being ALTO 800 bearing Registration No.NL-01H-6624 which was seized by the Wokha Police in connection with Wokha P.S. Case No.76/2023 under Section 21(b) NDPS Act, 1985 read with Section 183 of the MV Act, 1988.

2. The owner of the vehicle expired on 10.06.2022 and under

such circumstances, the instant application has been filed by his wife.

3. Pursuant to the filing of the instant petition, this Court vide an order dated 04.06.2024 had asked Mr. V. Zhimomi, the learned Additional P.P. to obtain instructions. Today, Mr. V. Zhimomi, the learned Additional P.P. has produced an instruction issued by the Investigating Officer of Wokha P.S. Case No.76/2023 wherein it has been mentioned that an inspection has already been carried out and as such the said vehicle has been forwarded to the learned Court at Wokha.

4. Taking into account the above, this Court is of the opinion that no further purpose would be served in keeping the vehicle by the Investigating Authority or in the custody of the learned Court. Accordingly, this Court directs the learned Special Judge, NDPS, Wokha, Nagaland to pass appropriate orders for release of the said vehicle bearing Registration No. NL-01H-6624 which was seized in connection with Wokha P.S. Case No.76/2023 upon production of the necessary documents showing the ownership of the vehicle. The same be done upon the production of the certified copy of the instant order and verification of documents by the learned Special Judge, NDPS, Wokha at the earliest and preferably within 5 days.

5. With above observations and directions, the instant petition stands allowed.

Sd/-

JUDGE

Comparing Assistant