

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL REVISION APPLICATION NO. 336 OF 2003

Mrs. Sunita w/o Narendra Ranpise,
Age: 37 years, Occ: Household,
R/o. Chandanhome, Subhash Nagar,
Tingre Nagar, Pune-15.

...Applicant

versus

The State of Maharashtra & anr.

...Respondents

.....
Mr. K.M. Nagarkar, Advocate for applicant
Mr. G.O. Wattamwar, Advocate for respondent/State
.....

CORAM : N.W. SAMBRE, J.

DATE : 16th OCTOBER, 2015

ORAL ORDER :

The present revision application is for questioning the order dated 19/08/2003 passed by learned Additional Sessions Judge, Shrirampur below Exhibit-A in Sessions Case No. 4 of 2003 in the matter of custody of the vehicle bearing registration No. MH-12/PA-2723, which was attached by the Shrirampur City Police Station, District Ahmednagar in Crime No. 18/2002 for the offence punishable under Section 395 read with Section 3/25 of the Arms Act.

2. The matter is pending since 2003.
3. The order passed by this Court on 02/11/2004, granting

temporary custody of the vehicle to the applicant, in exercise of powers under Section 451 of the Code of Criminal Procedure, is based on the judgment of the Apex Court in the matter of ***Sunderbhai Ambalal Desai vs. State of Gujrat*** reported in ***A.I.R. 2003 SC 638***.

4. Having regard to the fact that the custody of the vehicle is already with the applicant since 2004 and the matter is pending since 2003 before the learned Sessions Court, as record was called before this Court, it will be appropriate, in my opinion, to dispose of the present Civil Revision Application in terms of order passed by this Court on 02/11/2004, in the light of above referred observations.

5. As such, Criminal Revision Application is allowed in above terms.

6. Record and Proceedings be sent back to the learned Sessions Court, Shrirampur, District Ahmednagar, forthwith.

[N.W. SAMBRE, J.]