

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Cr. M. P. No. 67 of 2016**

Dilip Shrivastava S/o Shri Puran Lal Shrivastava, aged about 55 years,
R/o Gondpara near Gurudwara Bilaspur, PS City Kotwali, civil &
Revenue Dist. Bilaspur, Chhattisgarh.

---- Petitioner**Versus**

State of Chhattisgarh through District Magistrate, Mungeli, District
Mungeli, Chhattisgarh

---- Respondent

For Petitioner	:	Shri Sunil Sahu, Advocate
For Respondent/State	:	Shri U. K. S. Chandel, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****12.05.2016**

The present petition under Section 482 CrPC has been filed seeking for releasing the JCB on Supurdnama which was seized by the Police Authorities in connection with Crime No. 103 of 2013 for the offence under Section 420, 407/34 of IPC and Section 21 (1-5) of Chhattisgarh Mining Act.

2. Counsel for the petitioner submits that along with the JCB involved in the present case, six other vehicles were also seized and all the six vehicles were released by the Court below whereas only the present JCB of the petitioner has been refused to be released on the ground of there being no proper documents showing insurance and registration or the petitioner's title & ownership over the said vehicle. Counsel for the petitioner relying on the documents enclosed along with this petition submits that the said documents clearly show the ownership, title and

insurance paid by the petitioner in respect of the said vehicle.

3. However, the documents relied by the counsel for the petitioner shows that these are the documents which have been created much after the vehicle was seized by the Police Authorities and therefore the veracity and genuineness of the said documents still appears to be doubtful. The petitioner has not been able to explain as to how the registration could be carried out and the documents could have been prepared when the vehicle was under the custody of the Police Authorities. There is no proper explanation by the petitioner about the said documents so as to show that the rejection of the Court below is bad in law.

4. Considering the total facts and circumstances of the case, this Court is of the opinion that no good case is made out for interfering with the petition for releasing the seized vehicle of the petitioner on Supurdnama.

5. Accordingly, the Cr.M.P. stands dismissed.

Sd/-
P. Sam Koshy
Judge