

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 183 OF 2005

STATE OF MAHARASHTRA
VERSUS
MAJIDKHAN LALKHAN PATHAN

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A.P.P. for Petitioner : Ms. R.P. Gour
Advocate for Respondents : Mr. P.F. Patni

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CORAM : V. K. JADHAV, J.
DATED : 22nd SEPTEMBER, 2016

PER COURT:-

1. This Court by order dated 2.9.2016 directed the Registrar (Judicial) of this Court to find out the present status of R.C.C. No. 770 of 2004 pending before learned Chief Judicial Magistrate, Aurangabad. The learned Chief Judicial Magistrate, Aurangabad by his communication dated 3.9.2016 informed the Registrar (Judicial) of this Court that the aforesaid criminal case bearing R.C.C. No. 770 of 2004 came to be disposed of on 6.5.2014 and accordingly accused Nos. 1, 2 and 4 therein, came to be acquitted of the offences punishable under Section 379 of I.P.C. and r.w. Sections 41 and 42 of the Forest Act 1927.

2. Learned A.P.P. has also taken instructions and pointed out to this Court from the copy of judgment and order passed by the trial court in the aforesaid R.C.C. No. 770 of 2004 that seized

sandalwood and white colour truck was returned to the Forest department with directions that after expiry of appeal period, the said sandalwood and the truck be retained with the Forest department.

3. In view of this, nothing survives in this criminal writ petition. In the present criminal writ petition, the order of Magistrate giving interim custody of the vehicle to the registered owner is challenged. Since the aforesaid case is now disposed of with specific directions about the final disposal of the property, this writ petition has become infructuous and the same is disposed of accordingly. Rule discharged.

(V. K. JADHAV, J.)

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