

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.1657 OF 2016

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ORDER:

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The petitioner has preferred the present criminal revision case by invoking the provisions under Sections 397 and 401 of Code of Criminal Procedure (Cr.P.C.,) being aggrieved by the Order dated 21.12.2015 passed in Criminal Appeal No.290 of 2015 by the Sessions Judge, Guntur, whereby the learned Sessions Judge partly allowed the appeal and modified the order, dated 12.03.2015, passed in Case No.809/2014-S7, of the District Collector, Guntur, and reduced the confiscation of value of the stocks seized to 25% from that of 50% as ordered by the District Collector.

Heard and perused the material available on record.

Learned counsel for the petitioner submits that the petitioner has not committed any irregularities and in any event, the confiscation of 25% of the seized stocks is excessive in nature and as such, prays for reduction of percentage of confiscation of seized stocks.

This Court, normally, is not inclined to interfere with the concurrent findings of the District Collector as well as the lower appellate Court. However, this Court feels that the confiscation of seized stocks is excessive in nature and as such, inclined to reduce the percentage of confiscation value of the seized stocks.

Considering the facts and circumstances of the case, this Court directs the confiscating authority to confiscate 15% of the value of the stocks seized from the petitioner. It is made clear that if the said seized stocks were already sold by the competent authority, 85% of the value of the seized stocks shall be paid to the petitioner.

With the above directions, the Criminal Revision Case is disposed of. Consequently, the miscellaneous petitions pending in this revision, if any, shall stand closed.

JUSTICE RAJA ELANGO

30.06.2016

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