

THE HONOURABLE SRI JUSTICE M.S.K.JAISWAL
Criminal Petition No.9420 of 2016

ORDER:

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This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C) by the petitioner to quash the order, dated 01-03-2016 passed in Crl.M.P.No.706 of 2016 on the file of the Court of learned Additional Judicial Magistrate of First Class, Giddalur, which was confirmed by order, dated 18-04-2016 passed in C.R.P.No.17 of 2016 on the file of the Court of learned VI Additional District & Sessions Judge, Markapur and consequently allow the petitioner's petition directing release of the crime vehicle to the petitioner towards interim custody.

The learned Additional Judicial Magistrate of First Class, Giddalur, by order, dated 01-03-2016 refused the request of the petitioner to grant interim custody of the case property i.e., lorry bearing No. AP 16 U 6686 on the ground that the validity of the registration of the said vehicle was expired on 03-11-2012. The order of the learned Magistrate to that extent cannot be said to be incorrect. However, during the course of the hearing, the learned counsel for the petitioner produced the renewal of the said registration certificate, which shows that the validity of the permit of the vehicle is extended till 06-04-2016.

In that view of the matter, the petitioner is directed to approach the Court below and file fresh application with fresh evidence to show that he is the competent person to possess

the vehicle and consequently the learned Magistrate shall dispose of the same on the same day on being satisfied that the vehicle is validly registered in the name of the petitioner.

Accordingly, the Criminal Petition is disposed of. Miscellaneous petitions pending in this petition, if any, shall stand closed.

JUSTICE M.S.K.JAISWAL

18.07.2016

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