

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 419 of 2017

Anita Bai Wd/o Late Manikram Rajwade Aged About 30 Years R/o
Sakin, Village Kanthi, Police Station Darima, District Surguja,
Chhattisgarh. **---- Petitioner**

Versus

1. Dharam Prasad Rajwade S/o Manikram Rajwade Aged About 30 Years
R/o Village Kanthi, Police Station Darima, Tahsil Ambikapur , District
Surguja, Chhattisgarh.
2. The State Of Chhattisgarh Through District Magistrate Surguja
Ambikapur, Chhattisgarh. **---- Respondents**

For Petitioner	:	Mr. Sushil Dubey, Advocate
For State	:	Mr. Aditya Sharma, Panel Lawyer

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

30/03/2017

Heard on admission.

1. This petition under Section 482 of Cr.P.C. against order dated 06.12.2016, by which, petitioner's revision against order granting interim custody of motor cycle to respondent No.1 has been affirmed.

2. Learned counsel for the petitioner submits that the petitioner was the legally wedded wife of late Manikram Rajwade, who died in the accident, therefore, the interim custody of motor cycle ought to have been given to the petitioner, not to respondent No.1 because according to the petitioner, respondent No.1 is the step-son of late Manikram Rajwade.

3. On the other hand, learned State counsel submits that the present petition arises out of grant of interim custody of vehicle and rights of the parties have not been decided.

4. The Court below has clearly observed that the petitioner may obtain succession certificate to claim the vehicle.

5. Taking into consideration the nature of proceeding the order passed by the Court below, I do not find it to be a case warranting interference by this Court in exercise of jurisdiction under Section 482 of Cr.P.C.. Therefore, no case is made out to interfere with the impugned order.

6. The petition is accordingly dismissed.

Sd/-
(Manindra Mohan Shrivastava)

J U D G E