

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

WRIT PETITION NO.1481 OF 2017

Au Financiers India Ltd. ... **Petitioner**

V/s.

The State of Maharashtra & Anr. ... **Respondents**

.....

Ms.Mugdha J. Patil, Advocate for the Petitioner.

Mr.S.R.Shinde, APP for the Respondent/State.

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CORAM : A.M.BADAR J.

DATED : 27th September 2017.

P.C. :

1 The petitioner is challenging the Judgment and Order dated 27th December 2016 passed by the learned Additional Sessions Judge in Revision Petition No.443 of 2015 thereby rejecting the Revision Petition challenging the Order of the learned Judicial Magistrate First Class by which an application moved by the petitioner for return of the seized property i.e. vehicle came to be rejected.

2 The learned Advocate appearing for the the petitioner submits that the vehicle was initially in the name of some other person i.e. borrower. Ultimately in pursuant to Award passed in the Arbitration proceedings, the petitioner becomes owner of that vehicle. Therefore, the petitioner is entitled for custody of that vehicle during pendency of proceedings before the trial Court.

3 If that is so, the petitioner may again file an application for return of property accompanied by all necessary documents before the learned J.M.F.C.. If such application is filed, the learned J.M.F.C. is directed to decide the same in accordance with law.

4 With this observation, the writ petition stands disposed of.

(A.M.BADAR J.)