

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 2066 OF 2017

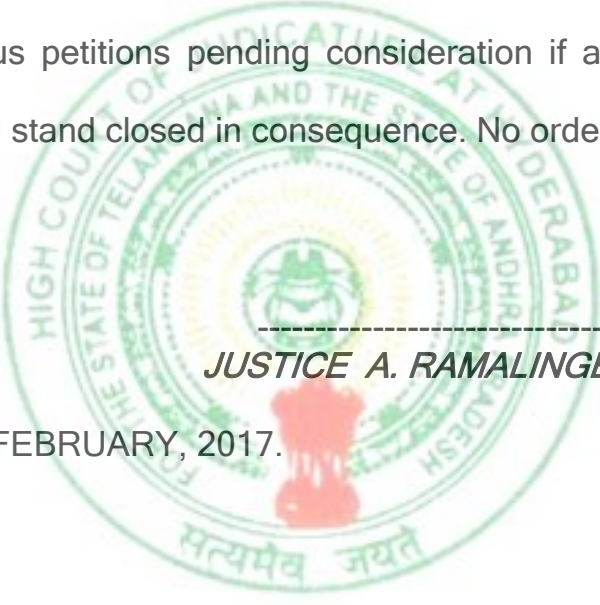
ORDER:

This Writ Petition was filed challenging the action of second respondent in seizing the vehicle (SCORPIO) bearing registration No.AP 09 BN 3355 and detaining the said vehicle.

Pursuant to the service of notice, the learned Government Pleader obtained written instructions wherein it is stated that on receipt of a private complaint from one S.Narasimha Reddy against Mr. Pankaj Kumar Joshi and Mr. Damodar Joshi, the learned XIV Additional Chief Metropolitan Magistrate, Hyderabad, referred the same to the Station House Officer, Police Station, Panjagutta, Hyderabad, who registered the same as Crime No. 132 of 2014 for the offences punishable under Sections 406,420 and 506 read with 34 IPC on 6.2.2014 and took up investigation. During the course of investigation, A.1-Mr. Pankaj Kumar Joshi was arrested on 11.4.2014 and remanded to judicial custody. Accused No.2-Mr. Damodar Joshi obtained anticipatory bail from the Court and was released on 24.11.2014. After completion of investigation, a charge sheet was filed before the learned XIV Additional Chief Metropolitan Magistrate, Hyderabad and the same was taken on file in CC No. 478 of 2015. However vehicle was not seized as it was not traced out at that time. An application seeking further investigation and seizure of the aforesaid vehicle is pending vide SR No. 6460 of 2016, dated

29.12.2016. Now the said vehicle is traced out and the same would be seized by following the due process of law and thereafter the same is being produced before the concerned Court. In view of the same, it is left open to the petitioner to take out appropriate proceedings before the Court concerned seeking release of the vehicle. It is needless to observe that as and when such an application is filed, the Court shall consider the same and pass appropriate orders in accordance with law.

Subject to the above, the Writ Petition is disposed of. Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed in consequence. No order as to costs.



JUSTICE A. RAMALINGESWARA RAO

DATED 1ST FEBRUARY, 2017.
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