

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 922 of 2015**

- Ku. Viola Singh D/o Late Nihal Singh Aged About 41 Years R/o Jarhabhatha, Civil And Revenue Distt. Bilaspur Chhattisgarh

---- **Petitioner****Versus**

- The State of Chhattisgarh Through The Station House Officer, Police Station Dongargarh, Civil And Revenue Distt. Rajnandgaon Chhattisgarh

---- **Respondent**

For Petitioner	:	Shri Nalin Soni, Advocate
For Respondent-State	:	Shri Sangharsh Pandey, Dy. GA for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****04/05/2018**

1. Heard.
2. The present petition is against the order dated 06.08.2015 passed by the Additional Sessions Judge, Dongargarh, whereby the application preferred by the petitioner to get the custody of the vehicle is dismissed.
3. As per the prosecution case, on 23.06.2013 police seized the Tractor & Trolley in abandoned condition at Dongargarh and it was bearing No.CG04ZQ1430 and tractor engine No. was W090LQ009 and the chassis No. was 0714594MM2. Subsequently, the petitioner claimed ownership over the vehicle i.e. the Tractor & Trolley and filed an application on 27.10.2014. The trial Court having found that though the registration number is same but chassis number & engine number are different, refused to deliver back the vehicle to the petitioner.

4. Learned counsel for the petitioner submits that she is the owner of the Tractor bearing No.CG04ZQ1429 and the Trolley bearing No.CG04ZQ1430 and further submits that at the time of the registration, she was not aware of the fact that what is the number, therefore, she is not at all at fault if some wrong has been written. Therefore, he submits that the Tractor & Trolley may be released in her favour i.e. the petitioner, who is the wife of Nihal Singh in whose name the Tractor & Trolley was registered.
5. Perusal of the record & case-diary would show that the Tractor, which was physically seized was not having any number but was having engine number as W090LQ009 and the chassis number was 0714594MM2. The particulars of registration which was called for from the R.T.O. at behest of petitioner shows that the Tractor of CG04ZQ1429 having chassis NO.A10750 and Engine No.35A80210, therefore, apparently though the registration number might have been claimed to be same, but on physical verification it was found to be different. Perusal of the case-diary would show that as per the seizure memo when the tractor was seized, it was without any number plate. Consequently, the Tractor appears to be different which is claimed by the petitioner.
6. In view of this, I do not find any illegality in the order of both the Courts below. The petition has no merit. It is accordingly dismissed.

Sd/-
Goutam Bhaduri
Judge

Ashu