

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Criminal Writ Petition No.1118 of 2017

[Sajid Khan s/o Jaffar Khan v. State of Maharashtra, through
Superintendent of Police, Amravati Division, Amravati, and others]

Office Notes, Memoranda of Coram,
appearances, Court's orders or directions Court's or Judge's orders
and Registrar's order

Shri T.H. Bewali, Advocate for Petitioner.

Shri A.M. Deshpande, Additional Public Prosecutor for
Respondents.

Coram : R.K. Deshpande & M.G. Giratkar, JJ.

Date : 1st February, 2018

The respondent No.3-Tahsildar, Tiwsa, District Amravati,
has filed an affidavit today, stating therein as under :

“1. The petitioner by the present petition is seeking directions to the respondent No.2 and the answering respondent No.3 to release the truck bearing No.MH-27-BF-2122.

2. The answering respondent respectfully submits that, after going through the judgment delivered by this Hon'ble court in Criminal Writ Petition No.1105/2017 (Neha -vs- State) on 19.12.2017 in view of this the answering respondent is ready to release the seized truck bearing

No.MH-27-BF-2122 of the petitioner as per the law laid down by this Hon'ble Court.

Hence this affidavit."

Shri A.M. Deshpande, the learned Additional Public Prosecutor appearing for the respondents, submits that if the petitioner remains present tomorrow at 11 a.m. along with all necessary documents, including the order of *supratnama*, the truck shall be handed over to him immediately. He further submits that however if the sand extracted is lying in the truck, the respondent No.3-Tahsildar shall be at liberty to unload it and hand over the truck to the petitioner.

The petition is disposed of accordingly.

(M.G. Giratkar, J.)

(R.K. Deshpande, J.)