

THE HON'BLE Dr JUSTICE SHAMEEM AKTHER

Criminal Revision Case No.843 of 2018

ORDER:

This Criminal Revision Case, under Sections 397 & 401 of the Code of Criminal Procedure, 1973, is filed by the petitioner, to set aside the order, dated 16.02.2018, passed in CrI.M.P.No.16 of 2018 in C.C.No.29 of 2018 by the Judicial Magistrate of First Class, Husnabad, Karimnagar District, and release the vehicle bearing No.TS-02-UA-8683, Chassis No.MAT454201F8H20035, Engine No.497 TC 92 HUY 830486, in favour of the petitioner.

2. Heard the learned counsel for the petitioner, learned Assistant Public Prosecutor representing the 1st & 2nd respondents and perused the record.

3. The learned counsel for the petitioner would submit that the petitioner/owner of the subject vehicle is an innocent person. The petitioner is ready to furnish bank guarantee for release of the subject vehicle and ultimately prayed to release the subject vehicle in favour of the petitioner.

4. The learned Assistant Public Prosecutor opposed the relief sought by the petitioner.

5. As per the material produced before this Court, earlier, the subject vehicle was involved in a crime, which was registered as C.C.No.521 of 2015 on the file of I Additional Judicial Magistrate of First Class, Huzurabad. The vehicle was released

in favour of the petitioner on filing an application, on conditions. Thereafter, as per the material placed before this Court, the subject lorry was being used for illegal transportation of sand. On that, the impugned Calendar Case was registered and trial is pending. There is every possibility of the petitioner indulging in similar offence, if the subject lorry is released in his favour. The Court below, while dealing with the application in CrI.M.P.No.16 of 2018 in C.C.No.29 of 2018 for release of the subject vehicle in favour of the petitioner, passed a detailed order. The said order does not suffer from any infirmity. There are no justifiable grounds to concede to the request of the petitioner. The Criminal Revision Case is devoid of merit and is liable to be dismissed.

6. Accordingly, the Criminal Revision Case is dismissed.

Miscellaneous petitions, if any, pending in this Criminal Revision Case, shall stand closed.

Dr. SHAMEEM AKTHER, J

02nd April, 2018
Bvv