

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(CR.) No. 495 of 2019

Satyam Kumar Patel, S/o. Pawan Patel, Aged About 23 Years, Resident of Village- Govindpur, Police Chowki Revti, Police Station- Chandora, District -Surajpur, Chhattisgarh.

---- Petitioner

Versus

State Of Chhattisgarh, Through : The Station House Officer, Police Station Chandraura, District Surajpur Chhattisgarh.

-----Respondent

For Petitioner	: Ms. Rashul Bhawnani, Advocate
For Respondents/State	: Mr. Aaditya Sharma, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

18/07/2019

1. This petition under Article 226 of Constitution of India has been filed praying for issuance of appropriate direction to the respondent for release of the vehicle, which has been seized in connection with Crime No.50/2018, registered at Police Station Chandora, District – Surajpur.
2. It is submitted by the learned counsel for the petitioner that the petitioner was tried in Special Criminal Case No.11/2018, before the Special Judge (POCSO), Pratappur, District – Surajpur. In the judgment dated 12.12.2018, the petitioner was acquitted and the order was passed for disposal of the property under seizure i.e. motor cycle bearing registration No.C.G.-15-DG-5073, after the

limitation for filing the appeal, the said motor cycle shall be released in favour of the petitioner.

3. The petitioner approached the concerned police station by filing application, which is annexed as Annexure P-3 for release of the motor cycle, to which there has been no response. Hence, this petition has been filed.
4. State counsel has no objection if the petition is disposed off with direction.
5. After considering on the submissions made by the counsel for both the parties, and perusing the documents filed along with the petition, I am of this view that since there has been an order of the Court for disposal of the seized property, therefore, the petitioner is at liberty to move an application before the Court for the release of the said vehicle on the basis his entitlement.
6. The petitioner is at liberty to move an application before the trial Court praying for release of seized vehicle in his favour on the strength of the order passed by the Court below on the basis of his entitlement. If the, petitioner is unable to get any relief, he may approach this Court again.
7. Accordingly, the petition is disposed off.

Sd/-
(Rajendra Chandra Singh Samant)
Judge