

HIGH COURT OF CHHATTISGARH AT BILASPUR**CRMP No. 2161 of 2019**

Fariyad Khan S/o Guljar Khan, Aged about 39 years, R/o Shivram Colony Tower Wali Gali, M.V. Road Girda, District Gwalior, Madhya Pradesh.

---Petitioner

Versus

State of Chhattisgarh, Through the District Magistrate Kabirdham, Chhattisgarh.

---- Respondent

For Petitioner	:	Mr. Ishwar Jaiswal, Advocate
For State	:	Mr. Rahul Jha, Government Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

07/11/2019

1. Petitioner's application for release of seized vehicle for offence under Section 4, 6, 10 and 11 of the Chhattisgarh Agricultural Cattle Protection Act, 2004 has been rejected by learned judicial Magistrate in view of the bar contained in Section 6 (3) of the Act of 2004 as within six months from the date of seizure of the vehicle, interim custody cannot be granted.
2. Learned counsel for the petitioner would submit that now six months period has already been expired.
3. Learned State counsel would support the impugned order.
4. I have heard learned counsel for the parties at length.
5. Since, the period of six months from the date of seizure of the vehicle has already been expired, petitioner is at liberty to move fresh

application for grant of custody of the seized vehicle which will be considered by the judicial Magistrate strictly in accordance with law without being prejudiced by the impugned order.

6. With the aforesaid direction, this criminal miscellaneous petition under Section 482 of the Cr.P.C. stands disposed of. No cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge

Harneet