

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

929 WRIT PETITION NO.14995 OF 2019

SHAHANAWAJ ABDULLA SAYYAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Mr. Mahesh Bhosle, Advocate for the petitioner.
Mr. S.B. Narwade, A.G.P. for respondent Nos.1 to 5.

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CORAM : S.V. GANGAPURWALA &
AVINASH G. GHAROTE, JJ.

DATE : 19th December 2019.

PER COURT :-

. The present petition would be entertained only to the extent of seizure of vehicle. The petitioner may prefer an appeal against the order imposing final penalty.

2. The F.I.R. has been lodged. Judicial Magistrate, First Class has directed release of vehicle upon conditions. According to the petitioner, the conditions are complied with, still the vehicle is not released. Now, the vehicle is in the custody of respondent – Authority.

3. The fine and penalty is also imposed on the petitioner.

4. Considering the aforesaid aspects, we pass the following order.

(i) Respondents shall release the writ vehicle seized under panchnama dated 24.07.2019 after verifying ownership of the petitioner and confirming genuineness of the documents, so also complying with all the terms and conditions put-forth by the Judicial Magistrate, First Class.

(ii) Respondents may get the bond executed by the petitioner to their satisfaction.

(iii) The petitioner shall deposit an amount of Rs. 75,000/- with the respondents. The same shall be without prejudice to the rights and contentions of either party.

(iv) Petitioner may file appeal as far as levy of fine and penalty is concerned.

(v) In case the petitioner does not file an appeal within reasonable time, the respondents are at liberty to recover the amount of fine and penalty, so also to take action against the petitioner.

5. Writ Petition is disposed of. No costs.

(AVINASH G. GHAROTE, J.)

(S.V. GANGAPURWALA, J.)