

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

CRIMINAL WRIT PETITION NO.798/2019
Abhishekh Suresh Dahikar

..VS..

State of Mah., thr. PSO Wadgaon Jangal, Taluka and District Yavatmal

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

Court's or Judge's Order

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Shri S.B.Gandhe, Counsel for the Petitioner.
Shri S.S.Doifode, Addl.P.P. for the State.

CORAM : V.M.DESHPANDE, J.
DATED : OCTOBER 3, 2019.

1. Heard learned counsel Shri S.B.Gandhe for the petitioner and learned Additional Public Prosecutor Shri S.S.Doifode for the State.

2. On 11.10.2018, learned Judicial Magistrate First Class, Yavatmal (Court No.5) rejected Other Misc.Criminal Application No.407/2018 for releasing of vehicle on Supratnama. A revision was carried against the said order bearing Criminal Revision No.54/2018 and on 15.1.2019 learned Judge of the Revisional Court dismissed the said revision.

Hence, the present criminal writ petition.

3. Learned Additional Public Prosecutor Shri S.S.Doifode for the State, filed reply which is taken on record and opposed the writ petition for releasing of property on Supratnama that is a vehicle containing stolen property on the ground that investigation is in progress and chargesheet is yet to be filed.

4. In this view of the matter, following order is

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passed:

ORDER

(a) The criminal writ petition is disposed of.

(b) The petitioner shall be at liberty to file a fresh application for Supratnama before learned Magistrate after filing of chargesheet. If such application is moved, after filing of chargesheet, learned Magistrate is directed to decide the said application in accordance with law without getting influenced by his earlier order or by observations made by learned Judge of the Revisional Court.

JUDGE

!! BRW !!

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