

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

WRIT PETITION NO.536 OF 2020

Shaikh Gaffar s/o Shaikh Rasul

..Petitioner

Versus

The State of Maharashtra and ors.

..Respondents

Mr A.B. Kharosekar, Advocate for petitioner

Mr S.G. Karlekar A.G.P. for respondents

**CORAM : S.V. GANGAPURWALA AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 3.2.2020

ORAL ORDER :

1. The vehicle of the petitioner is seized by the Police authorities and thereafter handed over to the revenue authorities.
2. The learned A.G.P. on instructions submits that the police authorities have not lodged any F.I.R. The petitioner is also imposed with the fine and penalty.
3. As far as fine and penalty are concerned, the petitioner may avail remedy of appeal. It is fact that the vehicle was seized by Police authorities and so also no F.I.R. is lodged against the petitioner, we pass the following order.
4. The respondents shall release the vehicle of the petitioner bearing registration No.MH-20-FG-1415, after verifying the documents and confirming the ownership of the petitioner. The respondents shall also get the bond executed from the petitioner to their satisfaction.

5. The petitioner shall deposit Rs.75,000/- with the respondents. The said deposit shall be without prejudice to the rights and contentions of the parties and the decision by the appellate authority.

6. In case the petitioner does not file appeal within thirty days, then the respondents are at liberty to recover the entire amount and so also repossess the vehicle.

7. Writ Petition disposed of. No costs.

(SHRIKANT D. KULKARNI, J.)

(S.V. GANGAPURWALA, J.)

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