

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

WRIT PETITION NO.7641 OF 2020

**ANIS BADSHAHA SAYYAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

Mr.A.R.Kharosekar, Advocate for petitioner
Mr.V.N.Patil-Jadhav, AGP for respondent nos.1 to 5

**CORAM : S.V.GANGAPURWALA
AND
R.G. AVACHAT, JJ.**

DATE : NOVEMBER 27, 2020

PER COURT :-

Learned counsel for the petitioner submits that the police authorities have seized vehicle of the petitioner. No FIR has been lodged against the petitioner. He submits that the police authorities do not possess authority to seize the vehicle.

2. Learned AGP submits that a penalty of Rs.3,21,600/- has been imposed against the petitioner.

3. We would entertain present petition only to the extent of release of the vehicle. The petitioner may avail the alternate remedy so far as imposition of penalty is concerned.

4. The respondents shall release vehicle of the petitioner seized by the police authorities, after confirming the ownership of the petitioner and verifying the documents. The respondents may get a bond executed from the petitioner to their satisfaction.

5. The petitioner shall deposit an amount of Rs.1,00,000/- (Rupees One Lakh) with the respondents before release of the vehicle. Such deposit would be without prejudice to the rights and contentions of the parties and subject to the decision that would be taken by the authority in appeal.

6. If the petitioner does not file an appeal within one month from today, the respondent would be entitled to recover the entire amount deposited by the petitioner.

7. Writ Petition disposed of. No costs.

[R.G. AVACHAT, J.]
kbp

[S.V.GANGAPURWALA, J.]