

HIGH COURT OF CHHATTISGARH AT BILASPUR**CRMP No. 1349 of 2020**

Aatmjeet Singh, S/o Khajan Singh, Aged about 56 years, R/o Ward No. 12, Main Road, Saraipali, P.S. Saraipali, Distt. Mahasamund, Chhattisgarh.

---Petitioner

Versus

State of Chhattisgarh, Through the Station House Officer, Police Station Saraipali, Distt. Mahasamund, Chhattisgarh.

--- Respondent

For Petitioner	:- Mrs. Seema Singh, Advocate
For State	:- Mr. Ravi Bhagat, Dy. G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****11/02/2021**

1. Petitioner's vehicle was found involved in commission of an excise offence pursuant to which it has been seized and the District Magistrate, Mahasamund has already informed about the initiation of the confiscation proceedings to the jurisdictional Criminal Court where the criminal case is being tried against the petitioner.

2. In view of the above, Mrs. Seema Singh, learned counsel for the petitioner, would submit that

petitioner may be granted the liberty to move an application for grant of interim custody of his vehicle before the concerned District Magistrate.

3. Be that as it may, petitioner is at liberty to move an application before the concerned District Magistrate/Collector for grant of interim custody of his vehicle and if such an application is moved by the petitioner, it will be considered and disposed of by the District Magistrate strictly in accordance with law within 15 days from the date of receipt of a copy of this order in light of the decision rendered by the Supreme Court in the matter of **Sunderbhai Ambalal Desai v. State of Gujarat**¹.

4. With the aforesaid liberty reserved in favour of the petitioner, the instant petition stands disposed of. No cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge

Harneet

¹ (2002) 10 SCC 283