

Form J(2)

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

CRR 1535 of 2021

**Ranjit Debnath
Vs.
Union of India and Ors.**

For the petitioner: Mr. Pankaj Halder
Mr. Sanatan Panja
Mr. Tapas Manna

Item No.43.

Heard & Judgment on: 04.07.2022

Bibek Chaudhuri, J.

In spite of service of notice the opposite parties have not turned up.

Considering the averment made in the instant revision and the question involved in the revision, I am of the view that the instant revision can be disposed of here and now.

The petitioner is the owner of a vehicle being Mahindra and Mahindra –Xylo make bearing registration No.WB44-F1789. On 14th January, 2018 the said vehicle was intercepted by the customs and some narcotic substance was allegedly recovered. The driver of the vehicle and the passengers were arrested. They were booked for committing offence under Section 20(b) (ii)(c) of the NDPS Act. Subsequently, after filing of the charge sheet, the case was transferred to the 3rd Court of the learned Additional Sessions Judge at Howrah being Special Judge under the NDPS Act for trial.

The petitioner filed an application on 2nd December, 2019 with a prayer to release the said vehicle to the petitioner being the registered owner of the said vehicle.

The learned trial Judge passed an order on 4th September, 2018 stating, inter alia, that in the said petition the name of the owner of the vehicle has not been mentioned and no document regarding ownership of the vehicle has been produced before the Court.

It is submitted by the learned advocate for the petitioner that the petitioner is the owner of the said vehicle and in support

of his contention he has already filed the certificate of registration and insurance certificate before this Court.

The petitioner is directed to file a fresh application before the trial Court with the blue book, certificate of registration, insurance policy and other documents in order to prove the ownership of the seized vehicle before the learned Court below and the learned trial Judge shall dispose of the application in accordance with law releasing the vehicle in the name of the petitioner if he is found to be the recorded owner immediately on the date of filing of such application in accordance with the law.

With the above direction the instant criminal revision is disposed of.

(Bibek Chaudhuri, J.)