

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.694 of 2011

Jatrakar Sahu ***Petitioner***
.....
State of Orissa ***Opposite Party***
.....
versus-

CORAM: JUSTICE S. PUJAHARI

Order
No.

ORDER
07.03.2022

07. 1. This matter is taken up through hybrid mode.
2. This application under Section 482 of Cr.P.C. has been filed by the Petitioner with a prayer to quash the order dated 10th January, 2011 passed by the learned S.D.J.M., Pallahara in Crl. Misc. Case No.75 of 2010 and the judgment dated 10th February, 2011 passed by the learned Additional Sessions Judge, Talcher in Crl. Revision No.2 of 2011 and release the vehicle (L.P. Truck) bearing Registration No.OR-06-C-5699 in favour of the Petitioner.
3. Heard.
4. Considering the facts and submissions made, especially the fact that Petitioner could not show his legal entitlement to possess the vehicle, the Criminal Misc. Case filed challenging the impugned order is devoid of merit.
5. Accordingly, the CRLMC stands dismissed.
6. However, if the aforesaid vehicle is still not released and the case has been continuing, there is no impediment on the part of the Petitioner to seek release of the vehicle and in that event, the Court

concerned should taking note of the law laid down in the case of ***Sunderbhai Ambala Desai -v- State of Gujarat***, reported in (2003)24 ***OCR(SC) 444***, pass necessary order.

(S. Pujahari)
Judge

DA

