

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1558 of 2022

Santosh Rout

....

Petitioner

-versus-

State of Odisha

....

Opposite Party

CORAM: JUSTICE S.PUJAHARI

ORDER

13.07.2022

Order
No.

01.

1. This matter is taken up through Hybrid mode.
2. Heard learned counsel for the Petitioner.
3. This application under Section 482 of Cr.P.C. has been filed by the Petitioner to quash the order dated 03.12.2021 passed by the learned Sessions Judge, Jajpur in Criminal Revision No.17 of 2021 setting aside the order dated 15.04.2021 passed by the learned S.D.J.M., Jajpur in Criminal Misc. Case No.165 of 2020 wherein the learned S.D.J.M allowed the petition filed by the Petitioner for release of the vehicle bearing registration number OD-04-H-7876.
4. Considering the facts and the submissions made and in view of the provisions contained in the Orissa Excise Act with regard to the disposal of the vehicle by the Excise Officials and since the confiscation proceeding has already been initiated, I do not find any illegality or infirmity in the impugned order passed by the revisional court.

5. Accordingly, this CRLMC stands dismissed.

6. However, it is submitted by the learned counsel for the Petitioner that since the confiscation proceeding is pending, a direction may be issued to dispose of the confiscation proceeding.

7. If that be so, in the event the Petitioner files an application before the appropriate forum ventilating his grievance in this regard is filed, the same shall be considered in accordance with law.

8. Urgent certified copy of this order be granted on proper application.

(S. Pujahari)
Judge

PKS

