

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLREV No.462 of 2022

Gitanjali Dash

.... Petitioner

Mr. A. Mishra, Advocate

-versus-

State of Odisha

.... Opposite Party

Mr.S.K. Mishra,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
03.11.2022.

Order No.

02.

1. This matter is taken up through hybrid mode.
2. The Petitioner is aggrieved by order dated 2nd August, 2022 passed by learned S.D.J.M., Jeypore in rejecting her application for release of the seized vehicle under Section 457 of the Cr.P.C. The Petitioner is not an accused but her vehicle is said to be involved in the alleged occurrence. The Petitioner submitted an application under Section 457 of Cr.P.C. along with necessarily documents relating to her ownership of the vehicle. The court below rejected the application by holding that if the seized vehicle is released, the I.O. will face hardship for submission of charge sheet in the connected case.

3. On instructions, learned State counsel submits, it has been ascertained that the Petitioner is in fact the registered owner of the vehicle and that detention of the vehicle may not be absolutely necessary in so far as further investigation, if any, is concerned.

4. Having regard to the above, I find no justification on detention of the vehicle any longer. The CRLREV is allowed. The impugned order is set aside. The Court below is directed to pass necessary orders for release of the vehicle upon satisfaction regarding ownership of the vehicle and on imposing such terms and conditions as may be deemed fit and proper including the conditions that the Petitioner shall fully cooperate with the investigation as and when required by the I.O.

5. The CRLREV is accordingly disposed of.

AKB

(Sashikanta Mishra)
Judge