

17-11-2023
Subha
Item no. 05
Ct no.34

*IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction*

CRR 893 of 2023

Ali Akbar @ Akbar Ali.

-versus-

State of West Bengal

Mr. Kunal Ganguly
.....for the petitioner.

Mr. Arijit Ganguly
Mr. Sanjib Kumar Dan
...for the State.

Report submitted by Mr. Ganguly, learned advocate for the
State be kept with the record .

The following part of the report which requires attention is
set out as follows :-

“Therefore, I pray before his Lordship for strong oppose in release of the vehicle bearing Reg. No. WB 74 BF 3624 to its owner Akbar Ali @ Potol on the ground that :

- i) Akbar Ali @ Potol is absconding to evade Police arrest and also warrant of Arrest is pending against his name.*
- ii) On the ground that the procedure for trial is pending after charge frame against one of the accused of this case namely Sajjad Alam S/O-Alimuddin of Vill-Dangipara(Solpara),PO-Soalpara, PS-Goalpokher, Dist-Uttar Dinajpur*
- iii) The prayer for confiscation of the seized vehicle has been submitted before Ld. Judge NDPS, SPI. Court which is pending for hearing and consideration.”*

Having considered that the petitioner has still not participated in the process of trial and has been involved in the alleged offence as complained of by the Investigating Agency and the process relating to confiscation is pending before the learned court, I am of the view that the prayer for return of the seized

vehicle in this particular case cannot be acceded to.

Accordingly, the present revisional application being CRR 893 of 2023 is dismissed.

Pending applications, if any, are disposed of accordingly.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J.]