

01.12.2023
Serial no. 6
[G.S.D]

CRR 2639 of 2023

In the matter of : Aarti Roy

... .. Petitioner

Ms. Sujata Das

... for the State

The owner of the vehicle is not an accused, who has been implicated in the charge-sheet filed in connection with the Burrabazar P.S. Case No. 130 dated 07.06.2022 under sections 419/365/392 of the I.P.C. Charge-sheet has already been submitted in connection with the instant case.

Having regard to the fact that the case is of the year June, 2022 and the vehicle is lying for one and half years, there is every possibility of deterioration of the vehicle.

Accordingly, it is directed that the Id. Chief Judge, City Sessions Court, or the Id. Judge, *in seisin*, of the case being Burrabazar P.S. Case No. 130 dated 07.06.2022 would return the vehicle on such terms and conditions as the Id. court deems fit and proper. If required, the Id. court would impose condition so that the vehicle is available for identification in course of the trial.

Accordingly, the order dated 15.12.2022 refusing the prayer for returning of the vehicle, is set aside.

Accordingly, CRR 2639 of 2023 is allowed so far as the return of the vehicle is concerned.

Pending application, if any, is also disposed of.

The report so submitted be kept with the record.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court at Calcutta.

(Tirthankar Ghosh, J.)