

Item-  
54. 20.12.2023  
Aloke Court-34

**C.R.R. 4181 of 2023**  
**Tumpa Sil @ Piku Sil & Ors.**  
**Versus**  
**The State of West Bengal**

Mr. Md. Ashraf Ali  
Mr. Sankar Banerjee

...for the petitioners

Mr. Arijit Ganguly

... for the State

Report filed by the learned counsel for the State reflects that charge-sheet has been submitted before the jurisdictional Court. The subject matter of the revisional application relates to the return of the seized vehicle. As the charge-sheet against the accused Tarak Sarkar has been submitted under Section 420/406/385/506/34 of the Indian Penal Code the earlier report of the police authorities are diluted. In fact in the charge-sheet it has been categorically observed that the vehicle was registered under the name of Paresh Ch. Sarkar, the deceased father of the complainant of the case.

Having considered that a case has been made out against Tarak Sarkar by the police authorities the issue relating to vehicle and its custody for the time being is tilted in favour of the present petitioner before this Court namely Tumpa Sil @ Piku Sil. The petitioner namely Tumpa Sil @ Piku Sil will produce documents relating to her relationship/heirship certificate or related documents in relation to the deceased Paresh Ch. Sarkar who according to the Government records is

the registered owner of the vehicle.

The learned Magistrate on terms and conditions which deems fit and proper would release the vehicle in her favour. The impugned order dated 01.03.2023 passed by the learned ACJM, Alipore in connection with Haridevpur P.S. Case No. 196 dated 22.07.2022 and subsequent orders dated 03.03.2023, 04.03.2023, 29.04.2023 12.07.2023 and 28.09.2023 relating to the vehicle is hereby set aside.

The learned Magistrate would abide by the aforesaid observations and release the vehicle in the mode and manner as directed above.

Accordingly, the revisional application being CRR4181 of 2023 is allowed.

Pending applications, if any, are consequently disposed of.

The investigating officer of the case is personally present before this Court. His presence is noted and dispensed with.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

**(Tirthankar Ghosh, J.)**

