

03.10.2023

Item No.11

Ct.No.2

dc.

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 247 of 2022

In the matter of : **Muntyaz Ahmed @ Muntiyaz Ahmed**
... Petitioner.

Mr. Arjun Chowdhury,
Ms. Pratusha Dutta Chowdhury,
Ms. Riya Agarwal ... For the Petitioner.

Mr. A. S. Chakraborty,
Mr. Abhijit Sarkar ... For the State.

Report dated 30.09.2023 submitted by Mr. Sarkar,
learned advocate appearing for the State be kept on record.

The said report reflects that the authorized officer has
started the confiscation proceedings on 24.01.2023. The
report reflects the following feature which the authorized
officer has recorded :

*“A general Notice has already been served by I.O Vide
memo number 06/CP-15 dated 25/08/22.*

*As part of the Confiscation procedure a letter for hearing
of the I.O in the court of the Authorized Officer has been served
vide letter number 190/15 dated 24/01/23. The deposition of
the I.O in the Authorized Officer court has been taken.*

*A letter for hearing of the witness of this case has been
served vide letter number 462/15 dated 24/02/23. The
deposition of the witness in the Ld. Authorized Officer's court
has also been taken on 17/03/2023.*

A letter to P.S.I Nayan Das (First Seizing Officer) has been already issued vide memo number 1258/15 dated 9/06/23 to appear before the LD. Authorized Officer Court for hearing on 23/06/2023. The deposition was recorded.

A summon letter to Mr. Rizwan, Accused in the Vehicle Case has been sent by the Authorized officer vide letter No 2456/15 dated 18/09/2023 to appear before The Authorized Officer Court on 11/10/2023 for hearing.

A Summon letter to Mr. Muntiaz Ahmed, Owner in the Vehicle Case has been sent by the Authorized officer vide letter No 2456/15 dated 18/09/2023 to appear before The Authorized Officer Court on 11/10/2023 for hearing.

The undersigned most respectfully beg to submit that as per above mention information the Confiscation procedure by the Ld Authorized officer has already been started on dated 24/01/23.

The Final POR has already been submitted in the Ld Court, Alipurduar.”

In view of the confiscation proceeding having already commenced and the petitioner before this Court has his date fixed for hearing on 11.10.2023, I direct that the petitioner, who is represented by Mr. Chowdhury, learned advocate, would appear before the concerned authorized officer with documents in support of his proof for return of the seized

vehicle. Since the authorized officer is in session of the matter, no comments are being made on the merits of the case.

The authorized officer has already commenced the proceedings on 24.01.2023. Expectedly by 31.12.2023, the proceedings would be completed by the authorized officer.

A copy of the report dated 30.09.2023 be handed over to Mr. Chowdhury, learned advocate appearing for the petitioner by the learned advocate representing the State.

With the aforesaid observations, the revisional application being CRR 247 of 2022 is disposed of.

Pending connected application, if any, is consequently disposed of.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)