

06.05.2024
Serial no. 6
[G.S.D]

CRR 1187 of 2024

In the matter of : Durgapada Sahoo

... .. Petitioner

Mr. Soumen Kr. Dutta
Mr. Subham Dutta
Sk. Sayan Uddin

... for the petitioner

Mr. Debasis Roy
Mr. Saryati Datta

... for the State

Report submitted by the State be kept with the record.

The report has been submitted in connection with Dantan PS Case No. 343 of 2023 dt. 4.11.2023 under sections 379/411/413/414 IPC & Section 21 of Mines & Minerals (Development and Regulation) Act, 1957.

The submissions of the Id. advocate for the petitioner that though there was no valid document, but the sand which was carried, was licenced. The police authorities conducted an enquiry to submit a report and the concerned Tahasildar, Hatadihi, on verification, reported to Dantan P.S. that such permission/licence was never granted and categorically stated that the Form being Schedule XXIV-

FORM 1-Y No-1971667 vide book no-39434 dt. 03.11.2023 is fake.

Considering the report so submitted and the document relied upon by the investigating authority, the sand in question cannot be returned to the petitioner. However, so far as the vehicle is concerned, the registered owner of the said vehicle will produce the documents before the Id. ACJM, Dantan who will check the authenticity and/or genuinity of the documents, if required.

The Id. ACJM, Dantan on such condition as it thinks fit and proper would release the vehicle to the registered owner of the vehicle.

With the aforesaid observations, CRR 1187 of 2024 is disposed of.

Pending application, if any, is also disposed of.

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, Calcutta.

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

(Tirthankar Ghosh, J.)