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Ct No.02
31.07.2024
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Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Jurisdiction

WPA No. 1061 of 2024

Dilip Kumar Seal @ Shil
-VS-
The State of W.B. & ors.

Mr. Sayan De
Ms. Esha Acharya
Mr. Soumyadeep Ghosh
..for the petitioner
Mr. Hirak Barman
Mr. Pradip Sarkar
...for the State

Report filed on behalf of the State is taken on record.

Copy of the same is handed over to the learned counsel for the petitioner.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner had handed over his vehicle in question to an accused respondent no.6 as per agreement. However, the vehicle was taken away and never returned. Although the prime accused has been arrested, the vehicle has not been traced out as yet. On the last occasion, it was submitted on behalf of the State that

as per the accused, the vehicle was in Arunachal Pradesh.

Learned counsel for the State relies on the report and submits as follows. Searches was made even in an Arunachal Pradesh and in other places. The vehicle could not be traced. Finally, a charge sheet has been submitted in this case being Falakata PS Charge Sheet No. 530 dated 31.10.2023 under Sections 406, 420 and 506 of the Penal Code.`

It appears that the police have made efforts to trace out the vehicle, but could not get hold of the same. However, they have arrested some accused and submitted a charge sheet.

In such circumstances, it will be open to the police to conduct further investigation to seize the vehicle upon intimating the concerned jurisdictional Magistrate in the event, they are able to get any clue over the whereabouts of the vehicle.

No further order need be passed in this regard.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)