

CRR No. 2631 of 2024

In the matter of : Sk. Daulat .. petitioner.

Mr. Sujoy Sarkar
Mr. Musharaf Alam
Ms. S. Srivastava ...for the petitioner.

Mr. Suman De
Mr. Rahul Ganguly ...for the State.

Report submitted by the State is taken on record.

Heard learned counsels for the parties.

The petitioner is aggrieved by the order passed by the learned Additional Chief Judicial Magistrate, Chanchal, Malda on 4th April, 2024 in case No.02C/2024 turning down his prayer for return of his vehicle.

It appears from the report submitted by the State that investigation of the case is complete and final report submitted.

The investigating officer submits that detention of the vehicle is not required for the purpose of investigation since investigation is complete.

In view of the above, this Court finds that no reason to turn down the prayer of the petitioner for return of the vehicle, moreso, since confiscation proceeding has also not been initiated.

The revisional application is allowed.

The order impugned dated 4th April, 2024 passed by the learned Additional Chief Judicial Magistrate, Chanchal, Malda in case No.02C/2024 is set aside/quashed.

The vehicle in question bearing registration No.WB 84 C 1010 be returned to the petitioner/registered owner upon furnishing bond of Rs.1,00,000/- subject to the condition that the petitioner shall not transfer/alienate the vehicle, shall not change the nature, character and colour of the same and shall produce the same before the learned Court as and when called for.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)