

17.04.2025
Court No.32
Item No.10
pk

CRR 3412 of 2018

Rapid Roadlines of India Private Limited
Vs.
State of West Bengal

Mr. K. C. Garg,
Ms. Sunita Agarwal
... for the petitioner.

Mr. Rudradipta Nandy
... for the State.

1. By filing an application under Sections 397 and 401 of the Code of Criminal Procedure, 1973, the petitioner being the owner of vehicle bearing No. NL01D-5287 seeking for release of the vehicle, which was seized on 24th May, 2016 in connection with West Port Police Station FIR No. 99 dated 24.05.2016 under Sections 120B/467/468/471 of IPC corresponding to G. R. Case No. 2382 of 2016 pending before the learned Chief Judicial Magistrate, Alipore, South 24 Parganas.
2. An order for release of the said vehicle was passed on 15.09.2018 by the learned Chief Judicial Magistrate, Alipore upon furnishing a bond of Rs. 35 lakhs with condition that the owner shall not allow the said vehicle to ply on the road and keep the same in his godown. The owner shall not change the registration number plate of the said vehicle as well as the registration numbers written on the body of the said vehicle without an order from this court. It was stated in the order that violation of

any of these conditions would amount to forfeiture of the whole amount of bond furnished in favour of the State. There shall be further condition that the owner shall not change the nature, character and colour of the vehicle by any means and shall not transfer the same in favour of any person in any manner whatsoever.

3. Despite passing the said order dated 15.09.2018, vehicle was not released as yet though he is the owner of vehicle bearing no. NL01D-5267, Engine No. 70A62538041, Chassis No. 447207ASZ300758. There is no dispute with regard to the ownership.
4. The said vehicle was seized with an allegation that the accused persons entered into criminal conspiracy and forged the registration number on the plate of the vehicle (having actual registration no. NL01D-5267) to NL01D-5287 and entered inside Port area through N. S. Dock Gate No. 8 with BGP16051260 fraudulently using the forged number as genuine despite knowing that it was forged with an intention to cheat the Port Authority as well as transfer/deliver valuable security.
5. Having heard the submissions of the parties and considering the above facts and circumstances, there is no legal impediment to release the vehicle to the actual owner. Therefore, the Learned Trial Court is directed to release the vehicle to the actual owner of the vehicle after verifying Engine number and Chassis number of the vehicle and upon furnishing the bond as fixed by the

Learned Trial Court earlier within a period of one week from the date of filing proper application and bond thereof by the petitioner/owner.

6. With the above observations, the instant revisional application being **CRR No. 3412 of 2018** is disposed of. In view of disposal of the revisional application, connected application, if any, is also disposed of.
7. Interim order, if any, stands vacated.
8. Copy of this order be communicated to the learned Court below for information.
9. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Ajay Kumar Gupta, J.)