

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

10.06.2025
(ct. no.02)
09
Kausik

CRR 149 of 2025

In Re: An Application against the order no. 30 dated 20.11.2024 passed by the Ld. Special Judge (NDPS) arising out of Kurseong Police Station Case No. 14/2023 under Section 21(b)/22(b) of the Narcotic Drugs and Psychotropic Substances Act corresponding to Special Case No. 01/2024, dated 25.01.2023.

In the matter of : Lakpa Tamang

.... Petitioner.

Mr. Pratap Khati
Mr. Reewaj M.

.... For the petitioner

Mr. Aditi Shankar Chakraborty, Ld. APP
Mr. Abhijit Sarkar

.... For the State

Learned advocate appearing for the petitioner approached this Court being aggrieved by the order dated 20.11.2024. I have perused the order which relates to dismissing an application for return of the seized vehicle.

Having considered the reasonings of the learned Special Court, I do not find any illegality in the said order as it is a perfect appreciation of law that in case of seized vehicle which belongs to an accused in the case the same cannot be returned. However, having regard to the fact that the petitioner is ready and willing to deposit the value of the vehicle as

decided by this Court, I am inclined to release the vehicle in spite of objection raised on behalf of the State.

Petitioner is directed to deposit a cash amount of Rs. 1.5 lakhs with the Treasury or Cash Department of the Special Court or as directed by the Special Court. In case, there is an order of conviction, the amount would be forfeited by the Government. In the alternative, if there is an acquittal the said amount on an appropriate application would be refunded to the petitioner.

With the aforesaid observations CRR 149 of 2025 is disposed of.

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

(Tirthankar Ghosh, J.)