



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL WRIT PETITION NO. 583 OF 2024

Horil S/o. Sukar Sav through
Power of Attorney holder Haril Sav
Aged 25 years, Occ. : Business,
R/o. Maniya, Taluka Chalkusa,
Dist. Hajaribag Zarkhand,
At Present R/o. Madheli,
Tq. Warora, Dist. Chandrapur.

.... **PETITIONER.**

// VERSUS //

The State of Maharashtra,
through Police Station Officer,
Police Station, Warora, Taluka
Warora, Dist. Chandrapur.

.... **RESPONDENT.**

Shri M.V.Rai, Advocate for Petitioner.
Shri A.G.Mate, A.P.P. for Respondent /State.

CORAM : **ANIL S. KILOR, J.**
DATED : **FEBRUARY 17, 2025**

ORAL JUDGMENT :

1. Heard.

2. **RULE.** Rule made returnable forthwith. Heard finally by
consent of the learned counsel for the parties.

3. This petition takes exception to the order dated 01/04/2024 passed by Judicial Magistrate First Class, Warora in Misc. Criminal Application No.72 of 2024 and judgment and order dated 06/06/2024 passed by the Revisional Court in Criminal Revision No.8 of 2024 upholding the condition namely, releasing the vehicle of the petitioner on Supratnama subject to confiscation proceedings, if any.

4. It is the submission of the learned counsel for the petitioner that this condition is unwarranted for the reason that even if any proceedings is pending for confiscation of the vehicle that is an independent proceeding and while dealing with such proceeding the order releasing the vehicle on Supratnama passed in the present matter will not come in the way of such matter. Furthermore, he submits that on the date of the order i.e. 01/04/2024, no proceeding for confiscation was pending.

5. On the other hand, the learned A.P.P. supports both the orders.

6. Having gone through the record and considering the material available on record, I find substance in the submission of the learned counsel for the petitioner that if any confiscation proceeding is pending i.e. an independent proceeding and such Court can pass necessary order

of confiscation of the vehicle, even though, the vehicle is released on Supratnama in the present matter.

7. It is also clear that the order releasing the vehicle on Supratnama in the present matter would not come in the way of any other proceedings pending independently relating to the said vehicle, including the proceeding for confiscation.

8. In the circumstances, I am of the opinion that the impugned condition is unwarranted. Accordingly, the writ petition is allowed.

9. The condition “to release the vehicle on Supratnama subject to confiscation proceedings, if any” is hereby quashed and set aside.

Rule is made absolute accordingly.

(ANIL S. KILOR, J)

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