



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

CRIMINAL WRIT PETITION NO.317 of 2023

Jagmal s/o Devasibhi Zala Vs. State of Maharashtra and others
with

CRIMINAL WRIT PETITION NO.335 of 2023

Liladhar Gulabchand Rathi Vs. State of Maharashtra and others
with

CRIMINAL WRIT PETITION NO.348 of 2023

Yogesh s/o Narayan Porje Vs. State of Maharashtra and others
with

CRIMINAL WRIT PETITION NO.349 of 2023

Vijaykumar Sirdramb Sarasambi and 2 others Vs. State of Maharashtra and others
with

CRIMINAL WRIT PETITION NO.370 of 2023

Gundappa Suresh Devkar Vs. State of Maharashtra and others
with

CRIMINAL WRIT PETITION NO.764 of 2024

Vijay Radhakishan Gahile Vs. State of Maharashtra and others

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Mr. K.H. Anandani, Advocate for petitioner/s.
Mr. N.S.Rao, APP for respondent nos. 1 and 2.

CORAM : NITIN W. SAMBRE & MRS. VRUSHALI V. JOSHI, JJ.
DATE : JANUARY 29, 2025.

1. The Trucks Pokland machine of the petitioner came to be seized in exercise of powers under Sections 52 and 61-A of the Indian Forests Act, 1927.
2. The thrust of the petitioner in questioning the order of confiscation passed under Section 61-A of the Indian Forests Act, 1927 and also that of the fastening the order of the District Judge confirming the order of confiscation is on the failure of the Officer to submit a report pursuant to

the provisions of Section 61-A (b) proviso wherein it is prescribed that the Officer has to submit a report of the vehicle being used for transportation of forest produce illegally. It is claimed that there is no such report is submitted by the Competent Officer.

3. Apart from above, it is claimed that the seizure panchanama of the fell trees was never drawn and what is drawn only a spot panchanama and in such an eventuality there is no material to infer that the petitioner used his Pokland machine in the matter of illicit felling of trees.

4. When confronted the learned APP Mr. Rao submits that he shall produce the original record before this Court in the matter of ordering of confiscation of Pokland machine of the petitioner by next week.

5. Stand over to 5th February, 2025.

(MRS.VRUSHALI V. JOSHI, J.) (NITIN W.SAMBRE, J.)