

20.

Ct.29

13.01.2026
Bd.

CRR 1107 of 2025

Mostafa Ali alias Babu
-vs-
The State of West Bengal

Mr. Angshuman Chakraborty
Mr. S.S. Saha ... for the petitioner.

Mr. Debasish Roy
Mr. Anand Keshari
Mr. Tirupati Mukherjee ... for the State.

This is an application wherein petitioner has challenged the order dated 6th February, 2025 by which the court below rejected the petitioner's prayer for return of the seized vehicle on the ground that the seized vehicle bearing registration No. WB 73G 4969 is owned by the accused.

Being aggrieved by the aforesaid provisions, learned counsel for the petitioner submits that during pendency of the instant application the proceeding being N 46 of 2023 has been disposed of by the trial court on 5th April, 2025. By the said judgment dated 5th April, 2025 the petitioner, Mostafa Ali alias Babu, has been acquitted from the said case. He further submits that however, in the said order of acquittal there is no indication about the return of the seized vehicle in compliance with section 452 of the Code of Criminal Procedure.

Having heard learned counsel for the petitioner and the State, the instant application being CRR 1107 of 2025 is hereby disposed of giving liberty to the petitioner to make a prayer before the court below within a period of fifteen days

from date under section 452 of the Code of Criminal Procedure and in the event of filing such application by the petitioner the court below will dispose of his prayer in accordance with law, without being influenced by any observation made herein within a period of sixty days thereafter.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)