

09.06.2026

Item No.4
Ct.No.35
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL APPELLATE JURISDICTION**

CRA (SB) 74 of 2026

**Sahinur Gazi
versus
The State of West Bengal**

Mr. Angshuman Chakraborty,
Mr. S. S. Saha ... For the Appellant.

Mr. Sagar Saha ... For the State.

The present appeal has been preferred challenging the order dated 18.12.2025 passed by learned Special Judge, 8th Court, Barasat, North 24-Parganas.

Learned advocate appearing for the appellant submits that since the present appellant has been acquitted of the charges, the vehicle which was seized may be returned to him.

State has submitted a report which reflects that the learned Public Prosecutor opposed the return of the vehicle as the acquittal was on technical grounds. The report, however, does not reflect that any confiscation proceeding was initiated by the authorities concerned. Consequently the balance of convenience pursuant to the order of acquittal weighs in favour of the present appellant.

Accordingly, the learned Special Court is directed to return the vehicle seized in connection with Swarupnagar Police Station Case No.786 of 2024 dated 18.12.2024 on such conditions as it deems fit and proper. The conditions obviously must be such that the same do not create any impediment in respect of return of the vehicle to the present appellant.

With the aforesaid observations, the appeal being CRA(SB) 74 of 2026 is disposed of.

The report dated 08.06.2026 submitted by the Officer-in-Charge, Swarupnagar Police Station be kept with the record.

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

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

(Tirthankar Ghosh, J.)