IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)

WEDNESDAY, THE SEVENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SMT JUSTICE TANGIRALA MADHAVI DEVI

WRIT PETITION NO: 33357 OF 2026

Between:

Rafiq Nabisahab Momin, S/o Nabisahab Momin, Aged 37 Years. Occ Abbu Cargo Transport Service Owner, Owner Of the Vehicle bearing No. MH 47BL-1183, R/o Room No. 184, Neharu Nagar, S,V, Road No. 2, Opp. Swetha Park, Borivali East S.O, Mumbai, Maharashtra-400066.

...**PETITIONER**

AND

1. The State of Telangana, Rep.byitsPrincipalSecretary, Home Department, Secretariat Buildings, Telangana State,Hyderabad.
2. The Superintendent of Police, Sangareddy Distict, Telangana State.
3. The Station House officer, Zaheerabad Town Police Station,

...**RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, Order or direction more particularly one in the nature of Mandamus, declaring the action of the Respondent No. 3 in continuing to retain the Petitioners Eicher Container Lorry bearing Registration No. MH47BL-1183, which was recovered in connection with F.I.R.No. 409 of 2026, dated 19-09-2026, of Zaheerabad Town Police Station, Sanga Reddy District, without considering the Petitioners claim for interim custody , as arbitrary, illegal, unjust, unfair and against the principles of natural justice and also in violation of Articles 19(1)(g) of the Constitution of India, and consequently direct the Respondent No. 3 to release the Petitioners Eicher Container Lorry bearing Registration No. MH47BL-1183to the Petitioner

I.A. NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondent No. 3 to consider the Petitioners claim and release the Eicher Container Lorry bearing Registration No. MH47BL¬1183 in connection with F.I.R.No. 409 of 2026, dated 19-09-2026, of Zaheerabad Town Police Station, Sanga Reddy District, pending disposal of the main writ petition

Counsel for the Petitioner: SRI V. POORNA SRI

Counsel for the Respondents: SRI D. PRADEEP, AGP FOR HOME

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE TANGIRALA MADHAVI DEVI

WRIT PETITION NO.33357 OF 2026

(CNR No. HBHC010685882026)

DATED : 07.10.2026

Between:

Rafiq Nabisahab Momin.

... Petitioner

AND

The State of Telangana and 2 others

... Respondents

ORDER

This Writ Petition is filed challenging the action of respondent No.3 in continuing to retain the petitioner's Eicher Container Lorry bearing Registration No.MH47BL1183, without considering the petitioner's claim for interim custody of the vehicle, as illegal and arbitrary.

2. Heard learned counsel for the petitioner and Sri D. Pradeep, learned Assistant Government Pleader for Home, appearing for respondents No.1 to 3.

3. Learned Assistant Government Pleader for Home submitted that the subject vehicle is going to be produced before the concerned Court tomorrow by filing Form-60.

4. Learned counsel for the petitioner submitted that the petitioner does not possess the original Registration Certificate and relied upon various other documents, such as the transport permit, insurance policy, goods permit, delivery challan, etc., to establish his ownership over the vehicle. It is further submitted that the petitioner's vehicle, along with its contents, i.e., spare parts which were to be delivered at Pune, was stolen and that the petitioner lodged a complaint in that regard. It is submitted that, subsequently, the petitioner came to know that the police had recovered the said vehicle along with the material contained therein. Therefore, the petitioner is seeking release of the vehicle.

5. In view of the above submissions, it appears that the vehicle is presently in the custody of the respondent police and not yet deposited before the Court. Therefore, the petitioner is directed to appear before the respondent police along with all relevant documents pertaining to the vehicle to establish his ownership over

both the vehicle as well as the articles in the vehicle. The respondent police shall verify the genuineness and veracity of the documents produced by the petitioner. If, upon such verification, the respondent police are satisfied that the petitioner is the owner of the vehicle as well as the articles therein, they shall prepare a panchanama recording the contents of the vehicle and thereafter, release the vehicle as well as the articles therein to the petitioner, subject to the petitioner furnishing two local sureties for a sum of Rs.1,00,000/- (Rupees One Lakh only) each. The petitioner shall not alienate or create any encumbrance over the vehicle and shall produce the vehicle before the respondent police or the competent Court, as and when required, for the purpose of investigation or further proceedings.

6. With the above observations and directions, this Writ Petition is disposed of. There shall be no order as to costs.

7. Pending miscellaneous petitions, if any, in this Writ Petition shall stand closed.

SD/- A. JAYASREE
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Home Department, Secretariat Buildings, Telangana State, Hyderabad.

2. The Superintendent of Police, Sangareddy Distict, Telangana State.
3. The Station House officer, Zaheerabad Town Police Station,
4. One CC to SRI V. POORNA SRI, Advocate [OPUC]
5. Two CCs to GP FOR HOME, High Court for the State of Telangana, at Hyderabad [OUT]
6. Two CD Copies

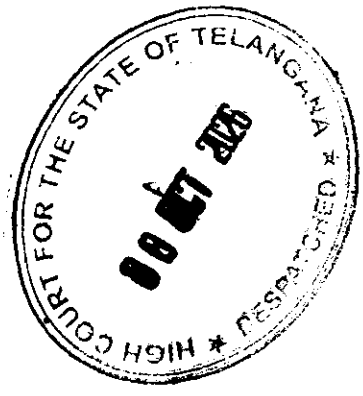
PVL



HIGH COURT

DATED: 07/10/2026

CC-TODAY



ORDER

WP.No.33357 of 2026

DISPOSING OF THE WRIT PETITION

WITHOUT COSTS

8/10/26