

ST No.300 of 2025
(Howrah PS Case No.274/25 dated 20-06-2025)

Present :Smt. Asmita Samajder
(J.O. Code:WB00956)
Additional Sessions Judge,
4th Court, Howrah.

Order No.9 dated 20-12-2025.

The record is put up on the prayer of the owner of the vehicle Bhagwan Das Soni, who files a petition for return of his seized vehicle, bearing No.WB 12BN 0773.

Ld. Advocate for the owner and Ld.P.P-in-charge are both present.

IO's report regarding the seized vehicle has been received on the last date. As such, the record is taken up for hearing of the instant petition and it is heard in full.

By filing the said petition, the registered owner has submitted that his vehicle was seized for investigation purpose and chargesheet of this case has already been submitted and no objection has been sent by the O/C, Dhulagarh Out-post under Sankrail PS. For these reasons, the said owner has prayed for release of the said vehicle No. WB 12BN 0773 along with connected documents.

Ld. P.P-in-charge raises no objection to the instant petition being allowed and mentions that the IO has already given his no objection to the said vehicle being returned to the original owner. However, Ld. P.P-in-charge mentions that the vehicle must be produced whenever it is required for the sake of adjudication of the instant case during trial.

Perused the record and the IO's report, wherein he has given no objection to the seized vehicle being registration No.WB 12BN 0773 being returned to its owner namely Bhagwan Das Soni.

It appears from the materials on record that the said seized vehicle is a Maruti Suzuki WAGON R Silver colour and from the registration certificate, it is clear that the said vehicle belongs to the owner namely Bhagwan Das Soni, i.e. the present petitioner. It is also apparent that the no one else, except this petitioner, has claimed ownership of the said seized vehicle since its seizure.

Accordingly, in view of the present circumstances and directions of the Hon'ble Apex Court given in **Sunderbhai Ambalal Desai vs State of Gujarat, reported in 2003 AIR Supreme Court 638, whereby the Hon'ble Apex Court observed that whatever be the situation, it is of no use to keep a seized vehicle at the police station for a long period, the petition is considered and allowed.**

Hence, the seized vehicle being Maruti Suzuki WAGON R Silver colour, bearing registration No.WB 12BN 0773 be handed over to its registered owner namely Bhagwan Das Soni/ petitioner with all relevant documents, except the driving licence, on custody on furnishing Zimmanama Bond of Rs 5,00,000/- (rupees five lacs only) with direction not to change the nature and character of the vehicle or to alienate the same till disposal of this case and with further direction to produce the said vehicle before the court as and when called for.

To date.

Let a copy of this order sheet be sent to the O/C, Dhulagarh Out-post under Sankrail PS as well as IO of this case for their information and necessary action.

Thus, the petition for release of the seized vehicle is disposed of.

Dictd. & corrected by me.

ASJ

Additional Sessions Judge, 4th Court,
Howrah