

Order No. 03. Dt. 25.04.2025.

Record is put up today on the prayer of Ld.defence counsel.

Ld. Defence counsel,namely,Purbasha Sarkar files another prayer and prays for releasing the seized vehicle bearing No.WB59 C/5444.

Ld. defence counsel also submits a copy of Order being number CRR 123 of 2025, Dt. 21.04.2025 of Honourable High Court At Calcutta In The Circuit Bench At Jalpaiguri.

As per the order, Honble Court is pleased to direct that

“1.....2.....3.....4.....5.....6.....7.....

8.....9.....10.....11. The learned Trial Court shall return the vehicle as per the provision of Section 452 of Cr.P.C. by passing appropriate orders keeping with the **guidelines of the Supreme Court in Sunderbhai Ambalal Desai vs State of Gujarat(supra)** within one month from the date of this order.

12. CRR 123 of 2025 is allowed.

13. There will be no order as to costs.

14. All connected Application stand disposed of.

15. Interim order if any stands vacated.

16. Copy of this Order be sent to the learned Trial Court for necessary compliance.

17. Urgent certified website copy of this Order, if applied for, be supplied expeditiously after complying with all, necessary legal formalities.”

Ld. P.P.-in- Charge also present today.

Perused the prayers.

Heard both sides.

In view of the order of Honourable High Court of Calcutta In The Circuit Bench At Jalpaiguri

the present prayer for releasing the seized vehicle is allowed on the following conditions.

IO of this case is directed to ascertain the proper value of the seized vehicle by competent authority of M.V.I. and submit the valuation report of the said vehicle before this court on or before the next date.

IO of this case is also directed to take photographs of the concerned vehicle taken from all sides and also the photographs showing engine and chasis numbers prominently and submit the said photographs before this court on or before the this court positively.

Let a copy of this order along with documents relating to concerned vehicle be sent to the I/C NJP PS, Jalpaiguri for information and taking necessary action.

Fix: 07.05.2025 for submission of valuation report and photographs of concerned vehicle by IO/ Further order on the point of releasing the said vehicle bearing number WB59 C/5444.

To Date(24.06.2025) for appearance of the accused and evidence.

D/C

Judge, Special Court
(Under NDPS Act)
1st Court, Jalpaiguri

