

Misc. Case No.1422 of 2015

5. 07.12.2015

Heard learned counsel for the appellant and learned Additional Government Advocate.

This application has been filed for return of documents seized by the police during investigation vide serial nos.11 to 15, 19 and 21 of the seizure list (Ex.16). It is submitted that serial no. 11 is the SBI ATM Cards, sl. No.12 is Canteen Smart Card, sl. No.13 is three cell phones, sl. No.14 is the Military Driving Licence, Sl. No.15 is the Military I.D Card. Sl. No.19 is the Voter I.D. card and sl. No.21 is the money purse of the appellant.

After looking to the record, what we find is that so far as ATM Cards, Driving Licence, ID Card, Cell phones, canteen Smart Card are concerned, they were in no way connected with the crime. Otherwise also, the appellant has been acquitted of the offences under Sections 498-A/304-B/302/34 of IPC read with Section 4 of the D.P. Act.

In view of aforesaid, after going through the provisions of Section 452 Cr.P.C in all grammatical variations, we hereby allow the prayer and direct that SBI ATM Cards, Canteen smart card, three cell phones, military Driving Licence, military ID Card and Voter ID Card be released in favour of the appellant.

His purse which is at Sl.No.21, however, is directed not to be released and in that respect, the application is rejected.

The appellant is directed to give an undertaking that as and when required by this Court, he will produce all those documents and will not destroy them.

Misc. Case is disposed of.

.....

Vinod Prasad, J.

.K. Sahoo, J.

.....

S

