



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLREV No.60 of 2026

Anil Kumar Singh

...

Petitioner

Mr. S. Mishra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M. R. Mohanty

**CORAM: JUSTICE V. NARASINGH
ORDER**

13.03.2026

Order No.

04.

Heard learned counsel for the Petitioner and learned counsel for the State.

1. The Petitioner in this criminal revision assails the conditions of the release of the vehicle vide impugned order dated 17.11.2025 passed by the learned S.D.J.M., Rairangpur in C.T. Case No.569/2025 in exercise of its jurisdiction under Section 442 BNSS.

2. The learned Court in seisin taking into account the prayer of the Petitioner while directing release of the vehicle, imposed the following conditions:-

“(i) keep the vehicle in good running condition,

(ii) not to use the vehicle in commission of any offence,

(iii) not to substitute any part of the vehicle,

(iv) not to change its colour



(v) not to transfer or dispose of the vehicle to anyone,

(vi) produce the vehicle in the Court as and when required

(vii) Produce the vehicle before the IO as and when required for the purpose of investigation.

(viii) get the vehicle insured up to date,

(ix) clear the outstanding dues, if any, of the hypothecating bank/agency, failing which, the bank/agency shall have the right to take possession of the vehicle as per law,

(x) not to tamper with engine no. and chassis no. of the vehicle and to ensure that the vehicle get registered with a permanent registration number as per the law."

(Emphasized)

The Petitioner is primarily aggrieved by Clause Nos.(iv) to (viii) of the impugned order, inter alia, on the ground that the vehicle in question is a "chassis" having temporary registration and while being transported, got involved in the accident. Hence, the restriction inter alia not to sell the vehicle, would result in financial loss which cannot be compensated and with efflux of time the value of the vehicle will depreciate.

3. Learned counsel for the State on the other hand opposes such prayer and submits that there is no illegality and irregularity in the order passed, warranting interference.

4. Considering the rival submissions and in the spirit of the order passed by the Apex Court in the



case of ***Sunderbhai Ambalal Desai vs. State of Gujarat, (2002) 10 SCC 283***, and the order of this Court in ***Ashis Ranjan Mohanty (Adv.) vrs. State of Odisha and ors.*** reported in ***2022 (I) ILR Cuttack 495*** in the peculiar facts of the present case; it is directed that

(i) The learned Trial Court shall fix a date for production of the vehicle in question before it and upon such production a detailed inspection memo/panchnama shall be prepared.

(ii) As regards of the vehicles, the following directions are issued:-

(a) Taking digital photographs and a video clip of not more than 1 minute duration of the vehicle from all angles;

(b) Encrypting both the digital photograph and the video clip with a hashtag with date and time stamp with the hash value being noted in the order passed by the concerned court;

(c) Preserving the encrypted digital photograph and video clip on a pen drive to be kept in a secured cover in the file and preferably also uploading it simultaneously on a server kept either in the concerned Court premises or in the server of the jurisdictional District Court



(d) Preparing a valuation report of the vehicle by an approved valuer;

(e) Obtaining a security bond.

4-A. Additionally, it is directed that:-

(i) The Petitioner shall file an affidavit that he shall not question the identity of the vehicle being involved in the alleged accident.

(ii) In the event such an affidavit is filed, the vehicle in question shall be allowed to be sold and the details of such sale and with sale proceeds shall be deposited before the learned Trial Court within a period of one week from such sale being effected.

On such deposit, the same shall be kept in an interest-bearing account in any nationalized bank subject to final outcome of the trial.

5. The documents of sale which shall be submitted to the Court in seisin shall incorporate the factum of the vehicle being involved in the case at hand, and the transfer of ownership and the sale, as referred to hereinabove, shall be subject to the final orders to be passed in the trial or any other order on conclusion of the trial.

The order passed by the learned Court in seisin is modified to the extent as above.

6. It is apt to state that this Court has not interfered with the other conditions i.e. (i) to (iii), (ix)



and (x) as stipulated in the impugned order dated 17.11.2025.

7. Accordingly, this criminal revision stands disposed of.

(V. NARASINGH)
Judge

Jina