



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLREV No.239 of 2026

Srikanta Dhal

...

Petitioner

Mr. Sk. Zafarulla, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S. Panigrahi, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

15.04.2026

Order No.

- 02.** 1. Heard learned counsel for the Petitioner and learned counsel for the State.
2. Assailing the order dated 16.03.2026 passed by learned JMFC, Soro in in Misc. Case no. 108 of 2026 arising out of C.T. Case no 401 of 2026, rejecting the prayer of the Petitioner for release of the vehicle in question, the present revision has been preferred.
3. It is submitted by the learned counsel for the Petitioner that the factor which weighed with the learned Court is that the vehicle in question was involved in commission of the present offence notwithstanding that the same was released in favour of the Petitioner by virtue of an earlier passed and as such further involvement of the vehicle in the case at hand amounts to



violation of the conditions so imposed while the vehicle was released.

4. Learned counsel for the Petitioner, Mr. Zafarulla, submits that the order passed by the learned Trial Court is against the spirit of the judgment of the Apex Court in the case of the ***Sunderbhai Ambala Desai vrs. State of Gujarat, (2002) 10 SCC 283.***

5. It is further submitted by the learned counsel for the Petitioner that detaining the vehicle would only result in its value getting depleted being exposed to vagaries of nature.

6. Learned counsel for the State, on the other hand, submits that releasing the vehicle in the present factual scenario would amount to paying a premium to the violation of the earlier orders passed by this Court.

7. On considering the rival submissions, this Court is persuaded to hold that interest of justice would be subserved if the Petitioner is directed to deposit an amount towards cash security which would act as a deterrent while directing release of the vehicle.

8. From the documents of the insurance on record, it is seen that the total IDV of the vehicle is Rs.13,89,455/-.

9. Considering the rival submissions, this Court is persuaded to hold that directing the Petitioner to deposit a sum of Rs.1,50,000/- would be just. On Petitioner depositing the said amount it shall be kept in an interest-bearing account and shall abide by the final outcome of the trial.



The vehicle in question shall be released on deposit of Rs.1,50,000/- as above. And, other conditions to be stipulated by the learned Trial Court.

10. Accordingly, the criminal revision stands disposed of.

(V. NARASINGH)
Judge

Jina