

Order Sheet [Contd]

CRR. Case No. ... 09 ... of 2018

Date of
Order or
Proceeding

Order or proceeding with Signature of Presiding Officer

Signature of
Parties or
Pleaders where
necessary

29 6 18

Shri Deepak Pandey for
revision of order dated 31.1.18
for stay / non revision
This revision is filed against
impugned order dated
31.1.18 passed by Ld
Lower court by which
Ld Jd Magistrate dismissed
supra memo petition in
relation to vehicle seized
411 crime 189/17 by Bupther
Police.

*Guaranteeing
govt.*

2-
impugned facts in brief - that
vehicle in question
was seized by Bupther PS
in relation to crime in
189/17 no 279, 337
of 27.11.18. The impugned
vehicle was driven rashly &
negligently on full day
causing injury to Hmml
& police registered case
no 279, 337, 114 184 mv Act
Against driver Shisham
during trial owner of
vehicle filed supra-
in which dismissed by Ld

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	<p>trial court.</p> <p>3- Being aggrieved his revision petition is filed on the ground that the lower court misdirected itself regarding correct interpretation of law on point of deciding Super-Nama petition. This petition prays to set aside.</p> <p>4- points for determination: whether the lower court passed impugned order contrary to LAW? or to set aside</p> <p>5- <u>Reasons:</u> It is argued by the counsel of revisionist that the trial magistrate misdirected itself regarding correct interpretation of law on the point of deciding Super-Nama. This prays to set aside. per contra the AGP supported reasoning of the trial magistrate.</p> <p>6- The record of the trial magistrate perused minutely.</p>	

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	<p>Firmly let us examine Law on this score. How, who's pet court has propounded guidelines in relation ^{supra} Ambalal</p> <p>para 1.10.2002 and date to its effect the seized vehicle in question to be released because it's utility & value decreases gradually. At keeping of Police Station.</p> <p>7- on close scrutiny of record of Lt lower court & ratio of Apex court facts & circumstances of the case. It is appropriate & expedient to release aforesaid seized vehicle.</p> <p>MA 102VGH49774 in answer on which terms: Since applicant is registered owner of vehicle hence it is directed that aforesaid vehicle to be released on furnishing competent supporting papers after 14 days before it is made.</p>	

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	<p>further App Court revision shall NOT transfer said vehicle during trial.</p> <p>Next App Court shall get said vehicle to be insured at insurance co. office</p> <p>further App Court shall NOT tamper with bank colour witnesses</p> <p>further App Court shall submit colour photograph of vehicle before trial court</p> <p>with above said order superintending police allowed if order of trial court modified.</p> <p>ordered</p> <p>V² 29/6/17</p> <p>(वाचस्पति मिश्र) प्रथम अपर सत्र न्यायाधीश श्रृंखला न्यायालय देहरा जिला-बालाघाट (मप्र)</p>	