

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLREV No.299 of 2022

Kumudini Dei

....

Petitioner

Mr. S.K. Dwibedi, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. Arupananda Das

Addl. Government Advocate

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
19.07.2022**

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

This revision petition has been filed by the petitioner challenging the order dated 17.06.2022 passed by the learned J.M.F.C., Ranapur in C.M.C. No.18 of 2022 in rejecting the petition under section 457 of Cr.P.C. filed by the petitioner for release of SFC 709/38 bearing registration no.OR-02-BZ-8957 in his favour.

Learned counsel for the petitioner drew the attention of this Court to the first information report where the vehicle number has been mentioned as OR-02-BG-9668. It is contended that initially the Investigating Officer seized the said vehicle which was

released in favour of the petitioner as per order dated 22.02.2022. Learned counsel for the petitioner placed reliance on Annexure-3, which is a letter addressed by the learned J.M.F.C., Ranapur to the Inspector in-charge of Ranapur police station. It is further contended by the learned counsel for the petitioner that subsequently another vehicle of the petitioner bearing registration no.OR-02-BZ-8957 was seized without any cogent reason for which the petitioner filed the petition for release of the vehicle. It is argued that since the vehicle bearing registration no.OR-02-BZ-8957 had got no connection with this case, its seizure is illegal and therefore, it should have been released in favour of the petitioner.

Learned counsel for the State seeks some time to obtain instruction and to produce the case record as to why after seizure of the vehicle bearing registration no.OR-02-BG-9668 and its release as per the order of the learned J.M.F.C., Ranapur, on what basis the second vehicle of the petitioner bearing registration no.OR-02-BZ-8957 was seized.

Learned counsel for the petitioner further submitted that one of the grounds of passing the impugned order of rejection is that the insurance period of the vehicle was already over as on the date of occurrence. He placed reliance on an order of another Bench of this Court passed in CRLMC No.2040

of 2020 disposed of on 13.12.2021 in that respect.

Let a copy of the order be supplied to the learned counsel for the State for verification.

List this matter on 02.08.2022.

A free copy of this order be handed over to the learned counsel for the State.

(S.K. Sahoo)
Judge

RKM

