

Tezpur PS Case No- 1506 of 2021
GR Case No-2446 of 2021
U/S- 406/420/506 of IPC

ORDER

10.08.2021

Ld. Advocate of the petitioner filed hazira.

Report as called earlier vide Order dated-03.08.2021 regarding zimma of Good Carrier Truck bearing Regd. No-HR-61/C-2540, Chassis No-MAT395023FDE03486, Engine No-51D84223425 is received today from the I/O concerned.

Heard both sides and perused the report carefully.

On perusal of the report submitted today by the I/O SI Deep Jyoti Bharali, I/C of Salonibari Police Outpost under Tezpur PS, it disclosed that he had seized the aforesaid Good Carrier Truck bearing Regd. No-HR-61/C-2540 in connection with this case and the aforesaid vehicle is not required for further investigation of this case. On perusal of the report submitted by the I/O, it also disclosed that the actual owner of the said vehicle is Sri Satya Prakash, son of Sri Om Prakash, resident of Tahsil Agampur/Mahabatpur of Mandi Adampur police station under Hisar district , Harayana, 125001 and the petitioner is the driver of the said vehicle. Therefore, the I/O prayed to give zimma of the said vehicle to the registered owner or the petitioner, who is the driver of the said vehicle at this stage. The petitioner is the driver of the seized vehicle as per report of the I/O. I/O further mentioned that zimma of the seized vehicle may be given zimma to the petitioner. Therefore, in the light of aforesaid discussion, considering the entire aspects, this court finds zimma of the seized vehicle may be given zimma to the original owner or the driver.

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Since the petitioner was been the actual possession of the seized vehicle at the time of seizure and I/O also mentioned that zimma of seized vehicle may be given to the owner or driver. Accordingly, zimma of aforesaid seized vehicle bearing Regd. No-HR-61/C-2540 may be given to the original owner or driver of the vehicle Md. Saddam Hussain. Hence, I/O sets at liberty to hand over the aforesaid seized vehicle including all the vehicular documents in favour of the original owner named Sri Satya Prakash or driver of seized vehicle named Md. Saddam Hussain after proper verification of identity of original owner or the driver. The I/O shall also verify the documents of the above-mentioned seized vehicle at the time of handing over the zimma of the same.

The I/O shall obtain a PR bond of Rs. 40,00,000/- (Rupees Fourty Lakhs) from the petitioner on condition that the original owner or driver of seized vehicle shall produce the aforesaid seized vehicle whenever asked by the I/O or by the Court.

The owner of seized vehicle shall further co-operate with the I/O till the I/O concludes the investigation and also the petitioner shall not sale the same until disposal of the case.

The I/O further forwarded the compliance report before this court on or before 17.08.2021.

Accordingly, the interim zimma prayer filed by the petitioner named, Md. Saddam Hussain stands disposed of. Let the original power of attorney along with identities of the petitioner be retained with the case record.

Sri N. J. Haque
Chief Judicial Magistrate
Sonitpur, Tezpur