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**(1997) 03 AHC CK 0040**  
**In the Allahabad High Court**  
**Case No : Criminal Revision No. 349 of 1997**

Awadhesh Bahadur Singh

APPELLANT

Vs

State of U.P. and Others

RESPONDENT

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**Date of Decision :** 20-03-1997

**Acts Referred:**

Motor Vehicles Act, 1988 — Section 207

**Citation :** (1997) 21 ACR 567

**Hon'ble Judges :** T.P. Garg, J

**Bench :** Single Bench

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## Judgement

T.P. Garg, J.—Heard the learned Counsel for the Petitioner/revisionist and the learned AGA for the State. Both have agreed that this revision/petition may be disposed of finally at the stage of admission itself.

2. The Petitioner is aggrieved by the order dated 13.3.1997, passed by Respondent No. 4, rejecting the application of the Petitioner for release of the vehicle No. MP-19/7369 on the ground that no charge-sheet has so far been filed and hence he has no jurisdiction to pass any order on the application of the Petitioner.

3. It appears from the averments made in the petition that the aforesaid vehicle was seized by Respondent No. 2 on 15.3.1997 u/s 207 of the Motor Vehicles Act (hereinafter referred to as the "Act") on various grounds allegedly in violation of the provisions of the Act, as detailed in the seizure memo (Annexure "2" to the petition). It is urged by the learned Counsel for the Petitioner that the vehicle has not so far been released and is lying in the custody of the police without any cogent reason, on account of which the Petitioner is suffering irreparable loss.

4. After hearing the learned Counsel for the parties and going through the record of the case, it is hereby directed that Respondents No. 2 and 3, i.e., A.R.T.O. (E), Jaunpur, and Station Officer P.S. Machha(sic) Shahr. Jaunpur, shall forward the relevant papers to the authority/court concerned within a reasonable time and

not more than four weeks from the date of production of a certified copy of this order and thereafter the court/authority concerned will consider the application of the Petitioner for release of the vehicle and pass appropriate orders in accordance with law.

With the aforesaid direction, this revision/petition is disposed of finally.