

22.07.2026
Item no. 42
Court No. 9
Sohel (PA)

In the High Court at Calcutta
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL REVISIONAL JURISDICTION

CRR 285 of 2026

In the matter: **Sanjit Kumar Biswas**

... petitioner

Mr. Kalipada Das
Ms. Saheli Roy Dakua

... .. *For the petitioner*

Mr. Gobinda Saha
Mr. Sanjib Kumar Deb

... .. *For the State*

- 1.** The instant revisional application has been filed by the petitioner who is the Attorney Holder of Instant Transport Solution Pvt. Ltd., a company registered in the State of Haryana, challenging an order dated June 16, 2026 passed by learned Chief Judicial Magistrate, Alipurduar in connection with G.R. Case No. 2446 of 2026.
- 2.** By the said order, the learned Trial Court rejected an application filed by the petitioner on behalf of the company for return of a commercial vehicle seized in connection with G.R. Case No. 2446 of 2026.
- 3.** It is submitted by learned Advocate for the petitioner that the petitioner had produced original Power of Attorney granted to the petitioner in terms of decision taken in the

meeting of board of directors of the company and such document was seized by the investigating officer under proper seizure list. Besides that, the petitioner had also produced original ownership documents in respect of the vehicle in question which were also seized by the investigating officer. Nevertheless, the prayer of the petitioner was rejected by learned Chief Judicial Magistrate, Alipurduar by the impugned order on the ground that no document was submitted by the investigating officer in respect of the vehicle in question.

- 4.** On the other hand, the learned Advocate appearing for the State submits that a Power of Attorney executed in favour of the petitioner authorizing him to receive the vehicle so seized by the investigating officer was produced but it did not contain the signature of the Power of Attorney Holder.
- 5.** In response to such submission, learned Advocate for the petitioner submits that his client is ready and willing to submit fresh Power of Attorney authorizing the petitioner to receive the seized vehicle on behalf of the owner company and such a Power of Attorney shall contain the signature of the petitioner.
- 6.** Upon hearing the learned Advocates for the parties and on perusal of the order impugned, it transpires that the prayer of the petitioner for return of the vehicle was rejected by learned Chief Judicial Magistrate, Alipurduar, which was limited to that stage.

7. In such circumstances, petitioner will apply afresh before learned Chief Judicial Magistrate, Alipurduar for return of the seized vehicle supported by a fresh Power of Attorney executed in favour of the petitioner by the company concerned. Such Power of Attorney shall also contain the signature of the Power of Attorney Holder, i.e., the petitioner. Such Power of Attorney may also be supported by the minutes of the meeting of the board of directors of the company authorizing the petitioner to receive the return of the seized vehicle.
8. Learned Chief Judicial Magistrate, Alipurduar shall consider such application, if any, filed on behalf of the petitioner supported with the documents mentioned hereinbefore in accordance with law.
9. With such observations, the instant criminal revision being **CRR 285 of 2026** is disposed of.

(Md. Shabbar Rashidi, J.)