

GUJARAT HIGH COURT

Lalluram Mohanlal

Vs.

State of Gujarat

Criminal Appeal No. 121 of 1965 against order of City Magistrate, 9th Court, Ahmedabad, in
Criminal Case No. 42 of 1964.

(V.B. Raju, J.)

01.08.1966

JUDGMENT

V.B. Raju, J.

When a property is not proved to be stolen, it cannot be confiscated and must be returned to the person from whose possession it was taken. The order of confiscation in the present case is, therefore, set aside and it is ordered that the property should be returned to the person from whose possession it was taken by the police.

Appeal allowed.