

**246 IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH**

**CRM-M-12366 of 2015
Date of Decision : 26.05.2015**

M/s Pasco Automobiles

-----Petitioner

Versus

State of Haryana

----Respondent

CORAM : HON'BLE MR. JUSTICE SURINDER GUPTA

Present : Mr. Aalok Jagga, Advocate,
for the petitioner.

Mr. Baljinder Singh Virk, DAG, Haryana.

SURINDER GUPTA, J. (Oral)

Heard.

An FIR No.168 dated 22.12.2012, was registered at Police Station, Sector 17-18, Gurgaon, for theft of one Maruti Swift Dzire (VDI), Colour, Pearl Metallic Artic White bearing Engine No.D13A2039434 and Chassis No.MA3FJEB1S00 246873. The vehicle was recovered by the police and on inspection, it was found that Chassis Number of the vehicle had been tempered at one place.

The petitioner moved an application before the trial Court seeking Superdari of the vehicle as well as permission to restore the Chassis Number as per Invoice dated 13.12.2012, but, the application for taking Superdari was not pressed before the trial Court and the relief to rectify the Chassis Number was declined.

I have heard learned counsel for the petitioner.

Learned counsel for the State submits that the vehicle recovered from the accused is the same which was stolen from the premises of the complainant. The police after recovery of the vehicle which was found missing from the Showroom has presented the challan in Court.

It is submitted by learned counsel for the petitioner that the

vehicle was a brand new car supplied by the Maruti Suzuki Company for sale in the Showroom of the complainant.

Learned State counsel submits that the Company number was also mentioned on the vehicle which connect the vehicle recovered from the accused with the vehicle stolen from the showroom as mentioned in FIR No.168 dated 22.12.2012, registered at Police Station, Sector 17-18, Gurgaon.

A vehicle without its proper Chassis or Engine Number can neither be registered, nor can be allowed to ply on road. If either of the above number has been tempered by the miscreant, the vehicle cannot be rendered useless but manufacturer or its authorized representative can always rectify the Chassis, Engine Number or other material description on the vehicle.

In view of the above facts, the petition is partly allowed to the extent that the tempered Chassis Number of the vehicle is allowed to be restored as per Invoice dated 13.12.2012, copy of which is already with the police. For taking vehicle on the Superdari, the petitioner will be at liberty to move application before the trial Court.

(SURINDER GUPTA)
JUDGE

26.05.2015
anju rani