

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRR No. 1256 of 2015 (O&M)
Date of decision : August 20, 2015

Madan Lal

..... Petitioner

v.

State of Punjab,

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Ms. Rakhi Sharma, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl. A.G Punjab

1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest ?

Ajay Tewari, J (Oral)

This petition has been filed against the order dated 16.02.2015 passed by the trial Court declining the application of the petitioner for release of his vehicle on sapurdari.

As per the facts, the son of the petitioner was driving the car when he was apprehended with 200 capsules of Parvon Spas. The petitioner moved an application for sapurdari which has been declined by the trial Court on the ground that the investigation is not yet complete.

Counsel for the petitioner has relied upon Mohd. Sahid v. State of Haryana, 2002(1) RCR (Criminal) 593, and Pragya Raj Sharma v. State of Punjab, CRM-M No.9981 of 2013, decided on April 23, 2013. In both

the cases, this Court released the vehicle on sapurdari in the same circumstances i.e before the presentation of the challan, as well as the fact that owners of the vehicles were not accused.

Counsel for the respondent has not been able to cite any contrary judgment.

In these circumstances, this petition is allowed and the order dated 16.02.2015 is set aside. The vehicle in question is ordered to be released on superdari to the petitioner on his furnishing a surety bond to the satisfaction of the Ilaqa Magistrate/Duty Magistrate with the undertaking that the petitioner shall produce the vehicle in question during the trial of the case, as and when required by the police and shall not transfer the vehicle to anyone till the conclusion of the trial of the case.

August 20, 2015
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(AJAY TEWARI)
JUDGE