

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

CRR No. 1455 of 2015 (O&M)

Date of decision: 28.10.2015

Dinesh Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Anil Kumar, Advocate for the petitioner.

Mr. Yashwinder Singh, DAG, Haryana.

Jitendra Chauhan, J. (Oral)

This revision has been filed against the impugned order dated 07.02.2015, passed by the Special Judge, Rewari, vide which the application of the petitioner for releasing the vehicle on sapurdari was dismissed.

The learned counsel for the petitioner had applied for the release of the vehicle bearing registration No. UP-24H-6469, on sapurdari. The trial Court has denied the sapurdari solely on the ground that said vehicle is involved in NDPS Act and used for commission of crime. In this context, it is submitted that the vehicle was not involved in any other FIR. The said vehicle is the sole source of earning of the family of the petitioner.

On the other hand, the learned State counsel opposes the

prayer of the petitioner.

Heard.

The vehicle is lying unattended in the police station for the last nine months. This is of common knowledge that in case the vehicle is not put to use, the machine turns into junk and the value of the same gets diminished. Accordingly, the order dated 07.02.2015, passed by Special Judge, Rewari is set aside and the vehicle in question is ordered to be released on sapurdari, in favour of its registered owner, subject to furnishing sapurdari bonds to the satisfaction of trial Court and also subject to filing of a specific affidavit that he shall produce the vehicle as and when required by the investigating officer. The petitioner shall also undertake that it shall not be used for any illegal activities; that he shall not sell the vehicle without permission of the Court.

09.10.2014

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(JITENDRA CHAUHAN)
JUDGE