

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

**Crl. Revision No. 3899 of 2015 (O&M)  
Date of Decision: 18.12.2015**

\*\*\*

**Swaran Singh**

**.. Petitioner**

**Vs.**

**State of Punjab**

**.. Respondent**

**CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY**

**Present: - Mr. A.K. Khunger, Advocate  
for the petitioner.**

**Mr. Deep Singh, AAG Punjab.  
ANITA CHAUDHRY, J.**

Through the instant petition, a challenge has been laid to the order dated 08.07.2015 passed by Special Judge, Fazilka vide which the prayer of the petitioner for release of motor cycle on superdari during trial, has been declined.

The motor-cycle in question Bajaj Discover, 2015 model, Black Color was seized by the police in FIR No. 12 dated 04.02.2015, registered under Section 15 of the Narcotic Drugs and Psychotropic Substances Act (for short, the Act), Police Station Bahawwala, District Fazilka. The petitioner is the accused in that case.

The trial Court declined the prayer on the ground that the vehicle is liable to be dealt with by the Magistrate in accordance with Section 52-A of the Act. The trial is going on and is not likely to conclude soon. It is still to be ascertained whether it was used in the crime or not. No useful purpose would be served by its detention as the condition of vehicle would

deteriorate day by day if the same is permitted to remain parked in the police station.

In view of the above, the petition is allowed. Motorcycle in question is ordered to be released on superdari during the trial subject to furnishing bonds to the satisfaction of the trial Court. The petitioner would also abide by all the conditions that may be imposed by the trial Court while ordering its release.

**December 18, 2015**  
**Jiten**

**(ANITA CHAUDHRY)**  
**JUDGE**