

In the High Court of Punjab and Haryana at Chandigarh

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Cr. Misc. No.50560 of 2006
and
Cr. Appeal No.S-1588-SB of 2006 (O&M)

.....

Date of decision:11.8.2015

Rajinder Singh

...Appellant

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

.....

Present: Mr. Harkaran Singh, Advocate for the appellant.

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Inderjit Singh, J.

Cr. Misc. No.50560 of 2006:

For the reasons mentioned in the criminal miscellaneous application, the delay of 198 days in filing the appeal is condoned.

The criminal miscellaneous application stands disposed of.

Cr. A. No.S-1588-SB of 2006 (O&M):

This appeal has been filed by Rajinder Singh-appellant against State of Punjab challenging the impugned judgment dated 10.8.2005 passed by learned Special Judge, Ferozepur under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as 'the Act'). The prayer in the appeal is to set aside the order confiscating the vehicle bearing registration No.RJ-13G-4815.

A perusal of the impugned judgment dated 10.8.2005 shows that the vehicle has not been confiscated in this judgment. Rather, in the last paragraph it is written that separate proceedings are going to be initiated against the owner of the vehicle for the purpose of confiscation. When the confiscation order has not been passed, the question of setting aside the confiscation order does not arise. It is rather premature.

Therefore, in these circumstances this appeal is dismissed. However, if at any stage any order is passed by the trial Court for confiscating the vehicle, the appellant is at liberty to challenge the same as per law.

August 11, 2015.

(Inderjit Singh)
Judge

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