

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

Crl. Appeal No.S-220-SB of 2016 (O&M)
Date of Decision: May 25, 2016

Nafe Singh

...Appellant

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Jitender Dhanda, Advocate
for the appellant.

Mr.Vikramjit Singh, Addl. Advocate General, Haryana
for the respondent-State.

INDERJIT SINGH, J.

The present appeal has been filed by the appellant against the impugned order dated 27.05.2015 passed by learned Addl. Sessions Judge, Rohtak, whereby the application filed by the appellant for return of original registration certificate of Bolero Jeep was dismissed.

Notice of motion was issued and learned State counsel appeared and contested the appeal.

I have heard learned counsel for the appellant as well as learned State counsel and have gone through the record.

From the record, I find that the present appellant was not an accused in the FIR case registered under Sections 148, 186, 307 IPC and Sections 25 and 29-A of the Arms Act. It is argued that Bolero Jeep bearing

registration No.HR-21G-7922 is already in the possession of the appellant. The appeal in the FIR case is pending before this Court. Learned Addl. Sessions Judge, Rohtak, vide impugned order dated 27.05.2015, dismissed the application in question on the ground that the registration certificate is case property and exhibited document.

The perusal of the record shows that as the Jeep had already been given on sapurdari and is in possession of the appellant, therefore, the registration certificate is necessary to be kept in possession while driving the said jeep. No purpose will be served by keeping the original registration certificate on the file, even though it is an exhibited document, till the disposal of the appeal, which will take long time. Even if it is an exhibited document proved during the trial, even then, certified copy of the same can be taken while returning the original registration certificate.

In view of above facts and circumstances, the present appeal is allowed. It is ordered that the original registration certificate of the Bolero Jeep bearing registration No.HR-21G-7922, on furnishing the certified copy of the same, be returned to the appellant by the Record Keeper if the original file is still before the lower Court or by Registry of this Court, if the original file has already been received here.

May 25, 2016
Vgulati

(INDERJIT SINGH)
JUDGE