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

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Date of Decision: 23.04.2016

GURMAIL SINGH

..... Petitioner

VS.

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH.

Present: Mr. Inderjit Singh Chawla, Advocate,
for the petitioner.

Mr. Navdeep Singh,. DAG, 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?*

KULDIP SINGH, J (ORAL)

Impugned in this petition is the order dated 06.01.2016 passed by the learned Judge, Special Court, Jalandhar vide which the application filed by the present petitioner for release of the truck bearing registration No. PB-07-R-6551 on superdari was dismissed.

The present application has been filed by Kulwinder Singh-accused owner through his power of attorney holder Gurmail Singh. It comes out in the case that 60 kilogram of poppy husk has been recovered from the Truck bearing registration No. PB-07-R-6551, for which Kulwinder Singh is facing the trial which is not concluded yet.

Since, the trial is yet to be concluded and it is also to be determined that Kulwinder Singh is to be held guilty of the

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crime or not, therefore, the detention of the Truck will not serve any purpose. Accordingly, impugned order is set aside and Truck bearing registration No. PB-07-R-6551 is ordered to be released on superdari to the Kulwinder Singh-petitioner through his attorney-petitioner Gurmail Singh on executing a superdari bond in the sum of ₹ 10.00 Lacs with one surety of the like amount subject to the following conditions: -

1. The petitioner shall not sell the vehicle.
2. The petitioner shall not change the colour and appearance of the vehicle.
3. The petitioner has to produce the said vehicle before the lower Court as and when required.
4. In case any proceedings are initiated, he shall also produce the said vehicle before the Lower Court.

With the aforementioned observations, the present revision is allowed.

April 23, 2016

Suresh Kumar

**[KULDIP SINGH]
JUDGE**