

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRM-M-4644-2016

Date of decision : 25.05.2016

Sukhdev Singh @ Sukhi

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S.BEDI

Present: Mr. Sunny K. Singla, Advocate
for the petitioner.

Mr. Jashanpreet Singh, AAG, Punjab.

M.M.S.BEDI, J.(ORAL)

The petitioner had been given the possession of Micra car bearing registration No.PB-11AU-8173 on sapurdari on 17.01.2015 in case FIR No.88 dated 18.06.2014 under Section 15 of NDPS Act, Police Station Kotwali Nabha. The said car was allegedly used by three other accused for committing offence of extortion of the gold ear rings of complainant Amarjit Kaur in case FIR No.82 dated 21.05.2015 under Section 382/34 IPC, Police Station Sadar Samana. The petitioner is not involved in the second case. His application for release of car on sapurdari has been declined on the ground that the car is repeatedly being used for committing crime.

Without expression of any opinion regarding the culpability of the petitioner in FIR No.88 dated 18.06.2014, the petitioner being the owner of the vehicle can be given the possession of the car.

Petition is allowed. The car is ordered to be released on

sapurdari to the petitioner on his furnishing sapurdarinama to the satisfaction of the trial Court subject to additional condition that he will neither use the car for any illegal purpose nor permit the user of the car for commission of any crime.

(M.M.S. BEDI)
JUDGE

May 25, 2016.
Davinder Kumar