

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR No. 1591 of 2015
Date of decision:- May 11, 2016

Nardev Inder Singh

...Petitioner...

versus

State of Punjab

...Respondent...

CORAM : HON'BLE MR. JUSTICE JASPAL SINGH

Present : Mr. Mayank Mathur, Advocate
for the petitioner.

Mr. A.S. Kler, DAG, Punjab,
for respondent No.1-State.

1. Whether Reporters of local papers 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?

JASPAL SINGH, J.

Challenge in this revision petition is to the order dated January 22, 2015 passed by the trial court whereby an application moved by the petitioner qua release of an amount of ₹1,75,000/- on superdari during the investigation of the case bearing FIR No. 61, dated 19.06.2013, has been dismissed.

2. The contention of learned counsel for the petitioner is that the petitioner has been falsely involved in the above referred criminal case whereby it has been alleged that certain amount of narcotics were recovered from the dicky of the Activa scooter belonging to the petitioner. In the same dicky, currency notes to the tune of

₹1,75,000/- were found in different parcels. The cash amount so recovered by the police cannot be termed to be a case property. Rather, it belongs to the petitioner and as such, he is legally entitled to it or to obtain it on sapurdari. In fact, the police has claimed that the amount so recovered from the dicky is the sale proceeds of the narcotic drugs and as such, is a case property.

3. At this stage, no further view can be adopted. Especially, in the circumstances that the amount so collected by way of sale proceeds of the narcotic drugs is a case property. Thus, the Judge Special Court has taken a right view.

4. This Court does not find any illegality and infirmity in the impugned order dated January 22, 2015. As such, the instant petition being devoid of merit stands dismissed.

May 11, 2016
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(JASPAL SINGH)
JUDGE