

CRR-2408-2016 (O&M)
Date of Decision : 28.07.2016

Vaisher

.....Petitioner

versus

State of Haryana

....Respondent

CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI**resent:** Mr. Sunil Kumar Nehra, Advocate
for the petitioner.

Mr. G.S. Salwara, DAG, Haryana.

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

The car belonging to the petitioner is the case property as he was allegedly carrying 400 grams of opium in his car. The police has got no objection to the release of the car but counsel for the State has submitted that the petitioner being a resident of Uttar Pradesh and the car being registered at Uttar Pradesh, it will not be easy for the Court to seek the case property.

It has been informed that the trial is pending and the same is likely to take a long time. The vehicle involved in carrying the opium is not required by the prosecution agency for any purpose. The car is likely to be damaged with the passage of time lying in the police station. Following the judgment in *Sunderbhai Ambalal Desai v. State of Gujarat, 2003 (1) RCR (Crl) 380* it is ordered that the vehicle, Swift

VDI car bearing registration No. UP 11 AW 7786 would be released to the petitioner registered owner on *Sapurdari* subject to the conditions to be imposed by the trial Court.

(M.M.S. BEDI)
JUDGE

28.07.2016
Neha

Whether Speaking/Reasoned: Yes/No

Whether Reportable: Yes/No