

CRR No. 3453 of 2016 (O&M)

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

CRR No. 3453 of 2016 (O&M)

Date of decision : November 21, 2016

Vijay Kumar

..... Petitioner

v.

Narcotics Control Bureau

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Saurabh Kapoor, Advocate
for the petitioner.

Mr. DD Sharma, Advocate
for the respondent.

Ajay Tewari, J (Oral)

Reply has been filed. Copy supplied.

It is the case of the petitioner that two passengers were caught with the contraband. Neither the owner nor the driver of the vehicle has been nominated as accused and in these circumstances it is clear that they had no knowledge that the contraband was being transported in their vehicle, and consequently has prayed that the vehicle

In the reply, it has not been denied that till date owner and the driver of the vehicle have not been nominated as accused. It may be noticed that the FIR was registered almost 2½ months ago and, therefore, there is no reasonable ground for coming to the tentative conclusion that the owner and the driver have not been found involved at this stage. In the circumstances, I order release of the vehicle on sapurdari on interim basis with the caveat that in case the respondent finds that the owner or the driver are involved in the trafficking of the contraband, it may apply for cancellation of sapurdari. This petition stands disposed of.

November 21, 2016
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No