

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

**CRA-S-4313-SB-2014 (O&M)
Date of Decision: February 2, 2017**

State of Haryana

.....PETITIONER(s).

VERSUS

Ram Niwas

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr.Tanuj Sharma, AAG, Haryana,
for the appellant.

Mr.B.K.Bagri, Advocate,
for the respondent.

SURINDER GUPTA, J.(Oral)

Heard.

The appellant-State challenged the acquittal of the respondent who in fact was convicted and sentenced for the period he has already undergone during the trial and to pay fine of ₹ 10,000/-. As there was no acquittal, the plea taken in the grounds of appeal is erroneous.

The appellant has also challenged the release of the vehicle which was apprehended by the police along with contraband.

Learned State counsel has argued that under Section 60(3) of the NDPS Act, the vehicle used in carrying narcotic and psychotropic substance is liable to confiscation. On query, he has stated that no such

proceedings were initiated at the instance of the State for confiscation of the vehicle.

In view of the submission of the learned State counsel, this appeal is disposed of with liberty to the State to initiate the proceedings for confiscation of the vehicle as per the provisions of the NDPS Act.

(SURINDER GUPTA)
JUDGE

February 2, 2017
Paritosh Kumar

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>