

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

Sr. No. 243

CRM-M-2630-2017

Decided on : 28.04.2017

Jaswant Singh

..... Petitioner

VERSUS

State of Haryana and others

..... Respondent(s)

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Digvijay Nagpal, Advocate
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

DEEPAK SIBAL, J. (ORAL)

Reply by way of affidavit of Rajesh Kumar, IPS Additional Superintendent of Police, Hisar, filed in Court today, is ordered to be taken on record. Copy of the same has been given to the counsel opposite.

Through the present petition filed under Section 482 Cr.P.C., the petitioner has approached this Court for quashing of the order dated 19.12.2016 (Annexure P-1) through which his application for Supurdari of the confiscated truck was rejected.

It is not disputed that the petitioner is the registered owner of truck bearing registration No.RJ-07-GA-6796 which was confiscated on account of narcotics having been found in the same being transported by Gurchand Singh, Saminder Singh and Balwinder Singh to whom the truck had been leased out by the petitioner. It is further not disputed that the investigations have revealed that the petitioner never consented to his truck being used for any illegal activity including transportation of drugs.

In view of the above undisputed position that the petitioner is the owner of the confiscated truck and that the investigations have revealed that in the truck, drugs had been transported without the petitioner's consent, no useful purpose would be served in keeping the truck in the police station as case property especially when the trial is yet to begin and would take long time to conclude as also for the reason that learned counsel for the petitioner undertakes that the petitioner would produce the truck during the course of the trial as and when so directed.

In view of the above, truck bearing registration No.RJ-07-GA-6796 is directed to be released on Supurdari to the petitioner on the satisfaction of the trial Court.

The petition is allowed in the above terms.

April 28, 2017

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**[DEEPAK SIBAL]
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No