

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No. M-28724 OF 2017 (O&M)
DECIDED ON : 08.08.2017

Harpal Singh

...Petitioner

versus

State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. Namit Khurana, Advocate,
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner has challenged the order dated 06.03.2017 (Annexure P-4) passed by Judicial Magistrate Ist Class, Yamuna Nagar at Jagadhari, whereby his application for release of the vehicle i.e truck bearing registration No.HR99YV (T) 1534 on superdari was dismissed, as well as order dated 21.04.2017 (Annexure P-6) passed by Sessions Judge, Yamuna Nagar, whereby revision there against has also been dismissed.

Learned counsel for the petitioner contends that Amendment of Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 (hereinafter referred to as "the Act"), is in process and in a similar case, a co-ordinate Bench of this Court by the order dated 16.01.2017 passed in **CRM No. M-37389 of 2016** titled as "**Isran v. State of Haryana**" had also

directed the release of vehicle of the petitioner therein subject to the satisfaction of trial Court.

In support of his submissions, he has also placed reliance upon the judgment of Division Bench of this Court in the case of **"Mainpal v. State of Haryana and others" CWP No.19153 of 2016 decided on 30.05.2017.**

Learned State counsel does not controvert the submissions made by learned counsel for the petitioner and states that the amendment of the Act is under process.

Consequently, the petition is allowed and the impugned orders dated 06.03.2017 (Annexure P-4) and 21.04.2017 (Annexure P-6) are set-aside. The vehicle i.e truck bearing registration No. HR99YV(T)1534 shall be released on superdari subject to the satisfaction of trial Court/Duty Magistrate.

(ANUPINDER SINGH GREWAL)
JUDGE

AUGUST 08, 2017

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| 1. Whether speaking/reasoned : | YES/NO |
| 2. Whether reportable : | YES/NO |