

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

130

CRM-M-37915-2017

Date of Decision: 09.10.2017.

Manjit Singh

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Jasraj Singh, Advocate for the petitioner.

Ramendra Jain, J.(Oral)

Through this petition under Section 482 Cr.P.C., prayer has been made for setting aside the order dated 15.09.2017 passed by learned Additional Sessions Judge, Hoshiarpur and for releasing the Truck bearing registration No.PB-07AL-2577 on superdari to the petitioner.

According to the prosecution, 15 kgs poppy husk was being carried in the aforesaid truck which is an offence under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

The Special Judge-cum-Additional Sessions Judge, Hoshiarpur rejected the superdari application of the petitioner on the ground that the petitioner is a habitual of purchasing poppy husk at lower price and selling it at a higher price in the area, where the aforesaid truck was intercepted.

Considering over all circumstances and the fact that the condition of the truck may deteriorate while parking in the police station, but without commenting anything on the merits of the case, the trial Court is

directed to release the aforesaid truck on superdari to its registered owner, subject to furnishing of superdginama and surety bond to the satisfaction of the trial Court alongwith an undertaking that the same would be produced in the Court as and when required.

Disposed of.

(RAMENDRA JAIN)
JUDGE

09.10.2017
jitender sharma

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No