

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

**CRM NO. M-4307 OF 2017 (O&M)
DECIDED ON : 30.03.2017**

Baldev Singh

...Petitioner

versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

Present : Mr. Ajay Pal Singh, Advocate,
for the petitioner.

Mr. D. S. Virk, DAG, Punjab.

A. B. CHAUDHARI, J. (ORAL)

Heard learned counsel for the rival parties.

What is challenged in the present petition is the impugned order made by learned Judge, Special Court dated 03.01.2017, rejecting the application of the petitioner for release of truck bearing registration No. PB-11-BU-8315, on sapurdari.

It is not disputed that on the basis of secret information, the truck in question was seized and now the same is parked in the concerned police station. It is also clear that no objectionable material or contraband was at all found in the truck, but on the basis of secret information, truck has been

detained. The fact that petitioner is registered owner of truck in question, is not disputed by learned State counsel, on instructions from ASI Ashok Kumar.

In my opinion, in view of the above factual situation, it is a fit case to release the truck in question to the petitioner, who is its registered owner, on sapurdari. Consequently, the impugned order dated 03.01.2017 is quashed and set-aside and the application is allowed. The truck bearing registration No. PB-11BU-8315 is ordered to be released to the petitioner, who is its registered owner, on furnishing sapurdari bonds to the satisfaction of trial Court.

Disposed of.

(A. B. CHAUDHARI)
JUDGE

MARCH 30, 2017
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