

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-43485-2017

Date of decision: 16.11.2017

Maninder Jit Singh @ Goldy

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. HS Multani, Advocate for the petitioner.

RAMENDRA JAIN, J. (ORAL)

1. Through the instant petition under Section 482 Cr.P.C., prayer has been made for issuance of a direction to the trial Court to release LMV (Car) make Volkswagen Polo bearing registration No. HR-01-AD-0968, confiscated in case FIR No. 54 dated 20.06.2017 registered under Section 21 of the NDPS Act at Police Station Kot Dharmu, District Mansa, on superdari, during the pendency of trial.

2. According to the prosecution, 5 grams of smack was recovered from the said car in which three persons including the petitioner were travelling.

3. Learned counsel for the petitioner *inter alia* contends that the aforesaid car is lying parked in the concerned police station since 20.06.2017 and if it is allowed to park there any more, its condition would deteriorate and become unfit for road worthiness.

by the trial Court shows that the petitioner is not the registered owner of the aforesaid car which has been taken into possession, but its registered owner is one Jai Pal Singh Sodhi S/o Manmohan Singh Sodhi, resident of Ambala Cantt. from whom the petitioner has purchased the same.

5. Considering the overall facts and circumstances of the case, it is ordered that the aforesaid car bearing registration No. HR-01-AD-0968, be released on Superdari to the petitioner on his furnishing personal and surety bonds to the satisfaction of trial Court, on his furnishing fresh affidavit of vendor, namely; Jai Pal Singh Sodhi to the effect that he is not the owner of the said car, rather he has sold the same to the petitioner. The petitioner shall also undertake to abide by all the usual terms and conditions to be imposed upon him by the trial Court including that he would produce the car in question on each and every date of hearing during trial and in case, the same is ordered to be confiscated, he would surrender the same immediately. The trial Court, in the fitness of things, would be at liberty to impose any other conditions apart from the above, upon the petitioner while releasing the car in question on Superdari.

6. The instant petition stands disposed of, accordingly.

November 16, 2017

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No