

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

**CRR No. 3176 of 2017
Date of Decision: 4.12.2017**

Banto

.....Petitioner

v.

State of Punjab

.....Respondent

CORAM HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present:- Mr. K.S. Dhaliwal, Advocate, for the petitioner

Mr. Ajay Pal Singh Gill, DAG, Punjab

SHEKHER DHAWAN, J.

Present revision petition has been filed to challenge the order dated 1.8.2017, passed by the learned Special Court-I, Sangrur, whereby, application filed by the petitioner for release of Rs.3,08,320/-, confiscated by the police, at the time of arrest of the petitioner, in case FIR No. 64 dated 10.5.2017, under Section 15 of the NDPS Act, registered at Police Station Sunam, District Sangrur, was effected.

Learned counsel for the petitioner contended that the alleged amount was neither case property nor that would be required at the time of trial, in any way, and the petitioner required the said amount for her personal use, so, the impugned order dated 1.8.2017 be set aside.

Learned State counsel fairly conceded that the alleged recovery of the amount is not the case property.

Having considered the above fact that the recovery of alleged

amount of Rs. 3,08,320/- is not the case property and would be required at the time of trial of the case and even if the same is required for any reason before the trial Court, the same can be produced before the Court or the numbers of the currency notes can be noted down at the time of release of the amount on supurdari.

In view of the above, order dated 1.8.2017 is set aside and the learned trial Judge is directed to release the amount to the owner against proper receipt and after maintaining proper record.

The present petition stands disposed of.

(SHEKHER DHAWAN)
JUDGE

4.12.2017
Ashwani

Speaking/Reasoned
Reportable

Yes/No
Yes/No