

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

**CRA-S-3545-SB of 2017 (O&M)
DATE OF DECISION :- March 13, 2018**

Punjab Singh

...Appellant

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Ms. Poonam Josan, Advocate for the appellant.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

CRM No. 31901 of 2017

Reply to the application under Section 5 of the Limitation Act
filed.

Heard.

There is a delay of 66 days in filing the appeal. For the reasons
mentioned in the application, the delay is condoned and the application is
allowed.

CRA-S-3545-SB of 2017

The appellant-complainant is aggrieved by the order dated
30.5.2017, passed by Additional Sessions Judge, Mohali vide which his
application for return of the currency notes was declined solely for the reason
that appeal filed by the accused against the judgment of the trial Court is
pending in this Court. F.I.R. in this case was lodged by petitioner Punjab Singh
alleging that accused along with their accomplice had taken away his Car and
Rs.51 lakh lying in the Car. The accused were arrested. A total sum of

Rs.9,60,000/- received from them. The accused were tried and convicted by Additional Sessions Judge, Mohali vide judgment/order dated 13.2.2017.

Learned State counsel submits that though the currency notes are exhibited documents, however, as informed by ASI Harjinder Singh from Police Station Zirakpur, after demonitization those currency notes were deposited in the account of SSP Mohali. State counsel submits that the State has no objection if the currency notes are returned to the appellant.

I find that the complainant should not be deprived of the use of his money any longer.

Learned State counsel submits that since after demonitization, the amount has been got deposited in the name of Senior Superintendent of Police, Mohali, a cheque of the said amount would be given to the complainant.

Learned State counsel submits while praying for copy of order being supplied under the signatures of Bench Secretary of this Court that the cheque would be prepared and given to the complainant within 15 days from today. The complainant may also convey his account number and the particulars of the bank to the investigating officer so that account payee cheque can be prepared.

The appeal is allowed accordingly.

(H.S. MADAAN)
JUDGE

March 13, 2018
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No