

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

CRM-M No.37211 of 2018

Date of Decision: 30.10.2018

Parshotam Lal @ Jeewan

....Petitioner

Versus

State of Punjab

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

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

Mr. C.L. Pawar, Sr. D.A.G., Punjab.

DAYA CHAUDHARY, J. (ORAL)

Learned counsel for the petitioner submits that in pursuance of order dated 10.09.2018, the petitioner has joined the investigation and this fact has been affirmed by learned State counsel on instructions from ASI Davender Singh.

However, learned State counsel submits that the petitioner has joined the investigation but he has not disclosed this fact as to who is owner of the car.

Admittedly, the car does not belong to the petitioner and he was not arrested at the place of occurrence. Hence, the question of recovery from a person, who was not arrested at the spot, does not arise. The allegations are matter of evidence which shall be tested by the trial Court.

In view of the above, the interim order dated 10.09.2018 passed in favour of the petitioner is made absolute.

The petition is disposed of accordingly.

**(DAYA CHAUDHARY)
JUDGE**

30.10.2018

gurpreet

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No