

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.252

CRM-M-41439-2018

Date of decision : 5.12.2018

Harmeet Singh

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

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

Mr. K.S. Sidhu, DAG, Punjab

SUDHIR MITTAL, J. (Oral)

The petitioner challenges order dated 7.8.2018 (Annexure P2), whereby the Judge, Special Court, Ludhiana, has refused to release a Verna car bearing registration No.PB-10-FQ-8132 to the petitioner on Sapurdari.

A perusal of the impugned order shows that the prayer of the petitioner was declined on the ground that the Registration Certificate and copy of insurance policy of the car in question were not placed on record alongwith the application.

The address mentioned in the application was also different from that mentioned in the report obtained from the police.

Learned counsel for the petitioner contends that a copy of the Registration Certificate and insurance policy could not be placed on record alongwith the application as the said documents were in police custody. The police had already recommended release of the car on Sapurdari and thus, the trial Court was in error in refusing to handover possession of the car to the petitioner.

Learned State counsel, on instructions from HC-Jarnail Singh submits that the Registration Certificate as well as the insurance policy of the car are in judicial file and that as per said documents the petitioner is the

owner of the concerned car. It is apparent that the trial Court has erred in passing the impugned order. Accordingly, the impugned order dated 7.8.2018, passed by the Judge, Special Court, Ludhiana, is set aside and the vehicle in question is directed to be released on Sapurdari on the terms and conditions to the satisfaction of the Judge, Special Court concerned.

(SUDHIR MITTAL)
JUDGE

5.12.2018
Ramandeep Singh

Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No