

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

Criminal Revision No. **2355 of 2017** (O&M)

Date of Decision: 22.03.2018

Rajvir Singh

. . . Petitioner

Versus

The State of Punjab

. . . Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. J.S. Jaidka, Advocate
for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

Raj Shekhar Atttri, J. (Oral)

Challenge has been laid to the order dated 12.04.2017, passed by the Judge, Special Court, Ludhiana, whereby the application of the petitioner for release of Tata (2515-T.C.E.X) bearing registration No.PB-10-BJ-7136 (Chassis No.426021KUZ745199, Engine No.40J62359686 was dismissed.

As per the prosecution version, aforesaid vehicle was taken into possession with 22 kgs and 500 grams of poppy husk recovered from it. Consequently, FIR No.181 dated 15.10.2015, under Section 15 Narcotic Drugs and Psychotropic Substances Act, 1985, Police Station Division No.6, Ludhiana was registered.

Criminal Revision No. 2355 of 2017 (O&M)

Learned counsel for the petitioner submits that the trial Court dismissed the application for release of the above said vehicle on *sapurdari* on the ground that the vehicle in question was still the case property and the testimony was yet to be recorded. He further submits that the petitioner is the registered owner of the vehicle in question which is only source of livelihood of the petitioner and will produce the same as and when directed by the trial Court.

Learned State counsel, however, opposed the prayer for release of vehicle of the petitioner on *sapurdari*.

I have heard learned counsel for the parties and have gone through the case file.

Since the petitioner is the registered owner of the vehicle in question and undertakes to produce the same as and when required by the trial Court, I deem it appropriate to direct the trial Court to release the same on *sapurdari*. Consequently, the petition is allowed and the order dated 12.04.2017, passed by the Judge, Special Court, Ludhiana, is hereby set aside.

The vehicle in question be released to the petitioner on *sapurdari* by the trial Court subject to its satisfaction and conditions, if so, imposed by the trial Court.

[RAJ SHEKHAR ATTRI]
JUDGE

March 22, 2018
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Whether Speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No