

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

CRR-1776-2018 (O&M)

Date of decision: 25.10.2018

Nonihal Singh

...Petitioner

VERSUS

State of Punjab

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. B.S.Jatana, Advocate,
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

RAJ SHEKHAR ATTRI, J.(Oral)

The present petition has been preferred against the order dated 19.4.2018 passed by learned Additional Sessions Judge, Mansa vide which the application filed by the petitioner for releasing Ritz car bearing registration No.HR 57-A-7679 Black colour on Sapurdari being owner of the said car has been dismissed.

Learned counsel for the petitioner submits that the recovery in this case has been effected from the person who was driving the car and not from the car.

Learned State counsel submits that the car was used for

CRR-1776-2018 (O&M)

Keeping in view the guidelines issued by Hon’ble Supreme Court in **Sunderbhai Ambalal Desai v. State of Gujarat**; 2003 (1) RCR (Criminal) 380, this Court is of the view that car is not required for trial and no useful purpose shall be served by keeping the car rusted in the police station.

In this view of the matter, the present petition is allowed and impugned order dated 19.4.2018 is set aside and the car is ordered to be released to its registered owner against proper receipt and subject to the conditions, if any, to be imposed by the concerned learned trial Court.

October 25, 2018

Paritosh Kumar

**(RAJ SHEKHAR ATTRI)
JUDGE**

Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no