

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Revision No. 227 of 2018

Date of Decision: February 09, 2018

Daya Chand

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Ms. Navneet Kaur, Advocate for
Mr. Gopal Singh Nahel, Advocate
for the petitioner

Mr. Kirat Singh Sidhu, DAG, Punjab

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Sudhir Mittal, J. (Oral)

This petition has been filed challenging order dated 07.11.2017 passed by the Addl. Sessions Judge, Sangrur, whereby application of the petitioner for release of XYLO Car bearing No. UP-16T-8958 on sapurdari has been rejected.

In a case regarding theft of vehicles the aforementioned vehicle, was recovered and it has been lying in the police station ever since. It is not in dispute that the petitioner is the registered owner of the said vehicle. However, the learned trial Court vide the impugned order has rejected the application on the ground that the appeal is pending in the High Court.

Having heard learned counsel for the parties, the impugned order can not be sustained in law. The true owner is entitled to custody of his vehicle especially when the trial of the case is over.

Accordingly, the revision petition is allowed, the impugned order is set aside and the car in question, is ordered to be released on Sapurdari on furnishing

Sapurdari bond with usual conditions to the satisfaction of the learned Addl.

Sessions Judge concerned at Sangrur.

The petition stands disposed of.

February 09, 2018

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No