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

**CRR-65-2018 (O&M)
Date of Decision: 11.01.2018**

Bhupinder Singh @ Binda

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Charanpreet Singh, Advocate,
for the petitioner.

SUDIP AHLUWALIA J. (ORAL)

CRM-703-2018

For the reasons mentioned in the application, the same is allowed and the delay of 15 days in filing the present revision petition is condoned.

Application stands disposed off.

CRM-704-2018

Allowed as prayed for.

CRR-65-2018

Notice of motion.

[2]. On the asking of the Court, Ms. Rajni Gupta, Senior Deputy Advocate General, Punjab, accepts notice on behalf of the respondents. Let a copy of the paper-book be supplied to her during the course of the day.

[3]. This revision petition is directed against the impugned order dated 26.09.2017 passed by Ld. Judge, Special Court, Ludhiana.

[4]. The petitioner, who was apprehended along with a vehicle in a case under the Narcotics Drugs and Psychotropic Substances Act was originally confined in jail. In his absence, an application seeking return of the seized vehicle on the basis of a power of attorney purportedly executed on his behalf was filed, but was subsequently dismissed as withdrawn. Therefore, another supardari application on behalf of the petitioner was filed on the basis of different power of attorney. The Court rejected the said application by observing *inter alia*:-

“.... Purpose of both the power of attorneys given by Bhupinder Singh owner of the vehicle to different persons is same but both the special power of attorneys of Bhupinder Singh have filed different applications to release the vehicle on supardari through different counsels. Hence in this manner the accused/owner Bhupinder Singh involved in the present case FIR who is confined in jail has tried to obtain the vehicle on supardari through different special power of attorneys by engaging different counsels without disclosing the fact of filing the other supardari application. Hence in this manner the conduct of the applicant do not deserves him to allow his application and accordingly supardari application of the applicant who has approached the court by suppressing the material fact of filing of another supardari application of the same vehicle is ordered to be dismissed. Papers be attached with the main file.”

[5]. It is now submitted on behalf of the petitioner that he himself has since been released on bail and being registered owner of the vehicle directly wants the same be returned to him.

[6]. In this view of the matter, the petitioner is granted liberty to

approach the Ld. Trial Court directly for that purpose. His application to be filed in this regard shall be disposed off expeditiously by the Ld. Trial Court in accordance with law.

[7]. Disposed off.

11.01.2018

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No