

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-43987 of 2014
Date of Decision: 27.08.2019

Kirna Devi

...Petitioner

VERSUS

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Ravi Gakhar, Advocate
for the petitioner.

Mr. Avtar Singh Sandhu, Addl. A.G. Punjab.

Mr. Nagar Singh, Advocate
for Mr. A.S. Virk, Advocate
for respondents no. 4 and 5.

SURINDER GUPTA, J.(Oral)

Heard.

Case of petitioner, in brief, is that vehicle bearing registration no. PB-23-H-5951, which was on hire purchase agreement with respondents no. 4 and 5, was taken away on 01.11.2014 by recovery agents of respondents no. 4 and 5. The petitioner had taken loan of ₹8,91,926/- from respondents no. 4 and 5 on this vehicle. She moved representation before Director General of Police, Punjab and Senior Superintendent of Police, Fatehgarh Sahib for taking appropriate action against private respondents but no action has been taken so far.

During course of arguments, it has transpired that the aforesaid vehicle was sold by respondents no. 4 and 5 on 29.11.2014 i.e. before filing of this petition on 13.12.2014 to respondent no. 6-Jaswinder Singh, who also sold it further.

Learned counsel for the petitioner submits that after expiry of period of about five years, it is not practically possible to seek restoration of possession of the vehicle. However, for the offence as committed by private respondents no action has been taken.

Without expressing any opinion on merits, this petition is disposed of with direction to respondent No. 3-Senior Superintendent of Police, Fatehgarh Sahib (wrongly mentioned as Ferozepur) to look into the representation of petitioner, verify the facts stated therein and take appropriate action in accordance with law, on receipt of copy of this order.

It is, however, made clear that nothing observed in this order shall debar the petitioner from availing any other legal remedy available to him under the law.

August 27, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***