

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-21419-2019

Date of decision: 04.09.2019

Jaswinder Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

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

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for setting aside the order dated 18.01.2019 passed by the trial Court, vide which, while allowing an application filed by the petitioner for releasing the vehicle i.e. Mahindra Bolero Camper bearing registration No.PB-12Q-2654, the petitioner was directed to furnish superdari bond in the sum of Rs.2.00 lacs with one surety in the like amount subject to the conditions that he will not sell the same, change its colour and will produce as and when required by the Court to do so, till disposal of the case.

Learned counsel for the petitioner has restricted his arguments to the extent that the petitioner is ready to furnish the superdari bond in the sum of Rs.2.00 lacs, as value of the vehicle is Rs.1.40 lac as per valuation report sought

by the trial Court, however, he is unable to furnish the bank guarantee of Rs.2.00 lacs as per directions of the trial Court. It is submitted that the petitioner is ready to furnish two surety bonds in the sum of Rs.2.00 lacs and prays that he may be permitted to do so, instead of furnishing bank guarantee.

After hearing learned counsel for the petitioner, considering the limited prayer and the reasons given in the petition that due to poor financial condition, the petitioner is not in a position to furnish the bank guarantee of Rs.2.00 lacs, this petition is partly allowed and the order dated 18.01.2019 passed by the trial Court is modified to the extent that instead of furnishing bank guarantee, the petitioner is permitted to furnish one additional surety of a sum of Rs.2.00 lacs. The remaining conditions imposed by the trial Court vide order dated 18.01.2019 shall remain the same.

Accordingly, the present petition stands disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

04.09.2019
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No