

S.No.246

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

CRM-M-5621 of 2015 (O&M)

Date of Decision:26.03.2019

Mahindra & Mahindra Financial Services Ltd.

.....Petitioner

Vs.

Union Territory, Chandigarh and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Nitin Thatai, Advocate
for the petitioner.

Mr. Sukant Gupta, Addl. PP,
UT, Chandigarh.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner seeking quashing of the impugned order dated 05.02.2015 passed by learned Judge, Special Court, Chandigarh whereby the application filed by the petitioner Company under Section 451 Cr.P.C for permission to sell/use the vehicle make Mahindra XUV 500 W8 FWD bearing registration No.Ch-01-AU-3786 having Engine No.HJD4E13946 and Chassis No.MA1YL2HJUD6E17270 has been dismissed and the said vehicle has been ordered to be confiscated to the State.

During pendency of the trial, the vehicle was ordered to be given to the petitioner on `superdari'.

Vide order dated 19.03.2019, the petitioner was directed to find out the status of the trial; in which the vehicle was involved in a case under the NDPS Act.

Pursuant to the above said order, counsel for the petitioner has pointed out that the trial now stands completed. The accused has been convicted for offence under NDPS Act and sentenced for 10 years'

imprisonment. The vehicle has also been ordered to be confiscated finally by the trial Court. There is no order of stay qua the confiscation order, in the appeal filed by the convict.

In view of the above, counsel for the petitioner submits that the present petition has been rendered infructuous and may be disposed of as such. However, the petitioner be permitted to avail any other remedy available to him, in accordance with law.

Dismissed as infructuous with the liberty aforesaid.

However, it is further directed that the petitioner shall produce the vehicle/ papers thereof within 15 days from today, before the trial Court, which had released the same to him on superdari. The trial Court shall take further steps qua the vehicle in accordance with law.

March 26, 2019
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No