

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

109

CRR-3072-2018 (O&M)
Date of Decision : 28.5.2019

Karnail Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Lokesh Vohra, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, DAG, Punjab.

AJAY TEWARI, J. (Oral)

This revision petition has been against the order dated 25.4.2018 whereby the Maruti Swift Car bearing temporary No.PB-05-AB-6510 was ordered to be kept in police custody.

Reply by way of affidavit of Devinder Kumar PPS, ACT (East) Ludhiana has been filed on behalf of respondent No.1, the same is taken on record. Copy has been supplied to the opposite counsel.

Counsel for the petitioner has relied upon the judgment of this Court in the matter of *Gurbinder Singh @ Shinder Vs. State of Punjab 2016 (4) RCR (Criminal) 492* to contend that there is no provision under the NDPS Act debarring the release of the vehicle for interim custody.

Learned DAG is not in a position to cite any contrary

judgment.

Consequently, the revision is allowed and the impugned order dated 25.4.2018 is set aside and the vehicle in question is directed to be released to the petitioner to the satisfaction of the Trial Court during the pendency of the appeal.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

28.5.2019
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No