

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-27173-2019

Date of Decision: 17.07.2019

Pavittar Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Damanjit Singh Sandhu, Advocate,
for the petitioner.

Mr. A.P.S. Gill, D.A.G., Punjab.

AMOL RATTAN SINGH, J. (ORAL)

Pursuant to the order dated 11.07.2019, an affidavit of Sh. Ashwani Kapur, PPS, Deputy Commissioner of Police, Ludhiana, has been filed in Court today by learned State counsel, which is taken on record. A copy thereof has been given to learned counsel for the petitioner.

As per the said affidavit, the petitioner was the person who was actually driving the JCB machine at the time that it was apprehended illegally mining sand and that as per information obtained on 22.05.2019 from the Regional Transport Authority, Ludhiana, the said JCB machine was not registered with that office.

The affidavit further goes on to show that a letter was eventually written to M/s Krishna Automobiles, Dhandarikalan, Ludhiana, in order to know the ownership of the machine, with the said agency having informed on 12.07.2019 that the machine was purchased in the name of the father of the present

petitioner, i.e. Sikandar Singh.

Yet further, it has been stated that with the vehicle having been driven in contravention of the provisions of Sections 177, 192 and 196 of the Motor Vehicles Act, 1988, offences under the said provisions have also been added in the FIR.

That being so, without making any comment on what is stated in the affidavit, which would naturally be subject to scrutiny by the Court concerned upon evidence led before it, this petition is dismissed, with the interim order dated 21.06.2019 vacated.

July 17, 2019
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.