

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-37695-2019

Date of Decision: 18.12.2019

Paramjit Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Benti Kaur, Advocate, for
Mr. Akashdeep Sethi, Advocate,
for the petitioner.

Mr. B.S. Sewak, Addl. A.G., Punjab.

AMOL RATTAN SINGH, J. (ORAL)

By this petition, the petitioner challenges the order of the learned trial Court dated 19.04.2019 and of the revisional Court dated 20.08.2019, by the first of which the petitioners' application for release of his vehicle (i.e. a truck), on 'Sapurdari', was allowed, subject to him furnishing bonds in the sum of Rs. 15,00,000/-, with one surety of like amount, further subject to certain conditions as stipulated by that order.

That order having been challenged, the learned Additional Sessions Judge, vide his order dated 20.08.2019, has remitted the matter to the trial Court to pass a fresh order after considering the present market value of the vehicle.

Learned State counsel submits that as per the inquiry conducted by the police, the vehicle is worth Rs. 10,00,000/- and therefore the petitioner be asked to furnish a bond of at least that much.

Learned counsel for the petitioner counters by relying upon an order of a co-ordinate Bench dated 05.08.2019, in CRM-M-32708-2019, by which the vehicle in question in that case had been ordered to be released on furnishing bonds of Rs. 4,00,000/-, it being a 10 year old vehicle.

Upon query to learned counsel as to how old the vehicle in question is, she expresses her ignorance.

That being so, I see no reason to interfere with the impugned order of the learned revisional Court, but with a further direction issued that in addition to determining the market value of the vehicle sought to be released, the financial condition of the petitioner shall be gone into by the learned trial Court, the contention of learned counsel being that he is a very poor person, having also been issued a blue card by the Government.

If the financial condition of the petitioner is found to be genuinely poor and the vehicle is genuinely old, then that Court would consider allowing the petitioner to furnish surety bonds instead of a bank guarantee.

Disposed of as above.

December 18, 2019
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.