

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-37700 of 2019

Date of Decision: 06.09.2019

Ranjit Singh alias Bittu

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: Hon'ble Mr. Justice Shekher Dhawan.

Present: Ms. Ekjot Sandhu, Advocate
for the petitioner(s).

Shekher Dhawan, J.

Present petition under Section 482 Cr.P.C. for modification of order dated 04.07.2019 (Annexure P4), passed by the learned Sessions Judge, Patiala, whereby revision petition, filed by the petitioner, was dismissed. The petitioner has also challenged the order dated 26.06.2019 (Annexure P3), passed by the learned Judicial Magistrate Ist Class, Rajpura, whereby application filed by him for releasing his car bearing registration No. PB-35-X-9796 on *sapurdari* was allowed against the bank guarantee of Rs.2,60,000/- .

Learned counsel for the petitioner raised twofold arguments, firstly that the vehicle in question should have been released as per personal security bond and bank guarantee is not the appropriate remedy in the case especially because the vehicle is five years old and its depreciated value is not more than Rs.1,00,000/- in any case and secondly, if bank guarantee is to be furnished, then it should be in accordance with the depreciated value of

the vehicle in question.

Notice of motion.

On asking of the Court, Mr. Pawan Sharda, Senior Deputy Advocate General, Punjab accepts notice on behalf of respondent. A complete copy of paper-book be provided to him during the course of the day.

This Court perused the orders passed by the learned Judicial Magistrate Ist Class as well as the learned Sessions Judge. Apparently, there is no reason to interfere in the orders, but taking into consideration the submissions made by learned counsel for the petitioner that vehicle in question is a Swift Car, which is five years old and its depreciated value is not more than Rs.1,00,000/- in any case, present petition stands allowed. The orders dated 04.07.2019 (Annexure P4) and dated 26.06.2019 (Annexure P3), passed by both the learned Courts below are modified to the extent that petitioner shall furnish bank guarantee to the tune of Rs.1,00,000/- for the release of his vehicle in question on *sapurdari*.

(Shekher Dhawan)
Judge

September 06, 2019
“DK”

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No