

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

219

CWP-27934-2019

Date of Decision: 14.11.2019

Satpal Singh

--Petitioner

Versus

State of U.T. Chandigarh and others

--Respondents

**CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA**

Present:- Mr.Mohit Kakkar, Advocate for  
Mr. Bhupinder Ghai, Advocate  
for the petitioner.

Kr. Yashwant Singh Rathore, Addl. PP, U.T. Chandigarh.

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**TEJINDER SINGH DHINDSA.J.**

Petitioner had filed the instant petition seeking a mandamus directing the 3<sup>rd</sup> respondent i.e. SHO, Police Station, Sarangpur, Chandigarh to release a Maruti Alto Car which is otherwise under the registered ownership of the petitioner. Case projected on behalf of the petitioner is that the 3<sup>rd</sup> respondent had impounded the car in question without any valid basis.

Notice of motion was issued in the writ petition.

Mr. Y.S.Rathore, Additional Public Prosecutor, U.T.Chandigarh has filed in Court today a reply by way of affidavit of the 3<sup>rd</sup> respondent. The same is taken on record and a copy has been furnished to counsel for the petitioner.

In the reply, there is a categoric denial as regard the vehicle in question having ever been impounded. A stand has been taken that the car in question is in the possession of Munish Kumar son of Labh Kumar and who is the son-in-law of the present petitioner.

In support of such stand, the statement recorded on 21.05.2019 of Munish Kumar has been appended as Annexure R1 along with the reply.

That apart, Mr. Rathore would submit that the undated photographs annexed along with the petition and which was relied upon by the petitioner are in relation to a public parking area outside the Police Station and by no stretch of imagination can the allegation of impounding of the vehicle in question be pressed on the basis of such photographs.

Having heard counsel for the parties, there would be no occasion for this Court to disbelieve the stand taken on behalf of the 3<sup>rd</sup> respondent in the affidavit filed in Court today.

No further directions are required to be passed in the writ petition.

Disposed of.

(TEJINDER SINGH DHINDSA)  
JUDGE

14.11.2019  
anju

- i) Whether speaking/reasoned? Yes/No
- ii) Whether reportable? Yes/No