

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

CRM-M No.42794 of 2019 (O&M)
DATE OF DECISION : 14th OCTOBER, 2019

Tek Chand

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

* * * *

Present : Mr. Saurav Bhatia, Advocate for the petitioner.

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RAJBIR SEHRAWAT, J. (Oral)

The present petition has been filed by the petitioner under Section 482 Cr.P.C. for modification of the impugned order dated 13.09.2019 (Annexure P-5) passed by the Chief Judicial Magistrate, SBS Nagar (Nawanshahr) in CRM No.272 of 2019 arising out of FIR No.81 dated 28.05.2019 registered under Section 61/1 of Excise Act, 1914 at Police Station Nawanshahr, District SBS Nagar.

It is contended by counsel for the petitioner that the trial court has committed an irregularity in asking the petitioner to furnish the bank guarantee for an amount of ₹3,00,000/-; as value of the vehicle sought to be released on *supardari* by the petitioner. It is further contended that on-road price of the new vehicle of this make itself is ₹6,00,000/- only. The vehicle involved in the alleged offence is 12 years old. Therefore, the amount estimated by the trial court is excessive on the face of it.

Having heard counsel for the petitioner and perused the file, this court does not find any material on record to support the assertion of the petitioner that the on-road price of the new vehicle of the same brand

is only ₹6,00,000/-. Hence, this court does not find any illegality or irregularity in the order (Annexure P-5) passed by the trial court.

As a result, the present petition is dismissed.

However, the petitioner would be at liberty to agitate the matter again before the trial court by placing on record the relevant documents qua the value of the vehicle in question, if so desired by him.

14TH OCTOBER, 2019
‘raj’

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>