

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

Sr. No.120

CRM-M-50574-2019

DECIDED ON: November 28, 2019

GAGAN AND OTHERS

..PETITIONERS

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Yashveer Kharb, Advocate, for the petitioners.

SUDHIR MITTAL, J. (ORAL)

The petitioners are aggrieved against the order dated 04.04.2019, whereby their application for releasing an amount of Rs.44,800/- as well as some other articles on superdari has been rejected.

Learned counsel for the petitioners submits that the petitioners undertake to produce the aforementioned money and articles at any time as may be directed by the learned trial Court and meanwhile the same may be released on superdari.

The money aforementioned as well as the articles were recovered by the police on 05.03.2019 as the petitioners were found gambling and FIR No.165 of even date was registered against them under Sections 13A and 3 of the Public Gambling Act, 1867. The learned trial Court, in the impugned order, has rejected the application for superdari on the ground that the money and the articles are case property. It has also

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been observed that the petitioners would be at liberty to get the same at an appropriate stage. Thus, the money as well as the articles would be required to be produced by the prosecution during the trial and for this reason, I do not find any error in the impugned order.

Petition is accordingly dismissed.

November 28, 2019
Ankur

(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No