

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.234

CRR-1862-2018 (O&M)
Date of decision : 24.1.2019

Amarjeet Singh

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. BS Jatana, Advocate, for the petitioner.

Mr. K.S. Sidhu, DAG, Punjab

SUDHIR MITTAL, J. (Oral)

The petitioner has challenged order dated 3.2.2018, whereby Judge, Special Court, Mansa, has dismissed the application filed for release of the car on sapurdari.

Learned counsel for the petitioner submits that the trial is in progress and during the pendency thereof, he is entitled to release of the vehicle on sapurdari subject to appropriate conditions to be imposed by the trial Court. Reliance is placed upon judgment passed by a Division Bench of this Court in '**Gurbinder Singh @ Shinder Vs. State of Punjab, 2016 (4) RCR (Criminal), 492.**'

Learned State counsel submits that narcotic substances were recovered from the said car and thus, the car is liable to be confiscated.

Keeping in view the Division Bench judgment passed by this Court in **Gurbinder Singh @ Shinder's case** (supra), the petitioner is entitled to the relief prayed for. Accordingly, the petition is allowed and impugned order dated 3.2.2018 passed by Judge, Special Court, Mansa, is

set aside. The car in question is directed to be released in favour of the petitioner on furnishing sapurdari bond to the satisfaction of the trial Court and subject to fullfiling the conditions to be imposed by it.

(SUDHIR MITTAL)
JUDGE

24.1.2019.

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No