

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

**203**

**CRM-M-9968-2020**

**Date of Decision: 01.06.2020**

Rohit Singla

....Petitioner

Versus

State of Punjab

....Respondent

**CORAM: HON'BLE MR. JUSTICE LALIT BATRA**

**Present:** Mr. Yashpal Thakur, Advocate  
for the petitioner.

Mr. H.S. Grewal, AAG, Punjab,  
for the respondent-State.

**Lalit Batra, J.(Oral)**

Case has been taken up for hearing through Video Conferencing.

This petition under Section 482 Cr.P.C. has been filed at the instance of petitioner impugning the legality of order dated 27.11.2019 (Annexure P/3) passed by learned Sessions Judge, Barnala, whereby revision filed by the petitioner against the order dated 04.11.2019 (Annexure P/2) passed by learned Chief Judicial Magistrate, Barnala, vide which vehicle (car make Creta) of the petitioner bearing registration

No.CH01-BT-8585 was ordered to be released on *sapurdari* subject to furnishing of Bank Guarantee to the tune of Rs.12 lakhs or deposit cash value of the said amount, was partly allowed.

Learned counsel for the petitioner submits that the petitioner is entitled for the release of vehicle on *sapurdari* and is not required to furnish Bank Guarantee or deposit cash value of the said amount as ordered by the Courts below, in terms of the latest decision of Hon`ble Division Bench of this Court rendered in CWP No.24941 of 2019 (O&M) **Darshan Singh Vs. State of Punjab**, decided on 28.01.2020, wherein it has been held as under:-

“..... , we deem it appropriate to order the release of the vehicles on Sapurdari on the condition that the petitioners shall deposit 20% of the assessed amount in cash and give security for the remaining amount along with the other conditions which may have been imposed by the Court to the satisfaction of the Trial Court”

Learned State counsel does not dispute the legal proposition as above.

In view of above, instant petition is allowed and impugned order dated 27.11.2019 (Annexure P/3) passed by learned Sessions Judge, Barnala and order dated 04.11.2019 (Annexure P/2) passed by learned Chief Judicial Magistrate, Barnala, are set aside. Consequently, it is ordered that the vehicle (car make Creta) bearing registration

No.CH01-BT-8585 be released to its registered owner on *sapurdari* on depositing 20% of the assessed amount of said vehicle in cash and further furnishing security for the remaining assessed amount along with other conditions as imposed by the Court concerned.

**(LALIT BATRA)**  
**JUDGE**

**01.06.2020**

*D.Bansal*

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No