

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

CRM-M-51825-2018

Date of Decision: 14.08.2020

Udam Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Sherry K. Singla, Advocate,
for the petitioner.

Mr. Harsimar Singh Sitta, A.A.G, Punjab.

AMOL RATTAN SINGH, J. (ORAL)

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the COVID-19 pandemic.

By this petition, the petitioner seeks quashing of the order dated 09.10.2018 (Annexure P-2), passed by learned Additional Sessions Judge, Pathankot, and the order dated 25.07.2018 (Annexure P-1), passed by the learned Judicial Magistrate Ist Class, Pathankot, vide which his application for release of a vehicle, i.e. a truck bearing no. PB-03-AC-7765, has been dismissed.

A reply having been filed by the Deputy Superintendent of Police, City Pathankot, learned State counsel submits that the petitioner after having joined investigation was found to be not involved in the commission of the offence, with only the driver of the truck having been indicted by the police.

That being so, the petitioner being the owner of the truck and the recovery in any case having been made from the truck, I would see no purpose in keeping the truck detained during the pendency of the trial.

Consequently, the petition is allowed and the truck in question is ordered to be released to the petitioner on '*Sapurdari*', on the condition that he will not alienate it in any manner, during the pendency of the trial.

August 14, 2020
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No.