

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRR-1136-2020 (O&M)
Date of Decision:- 22.9.2020

Mandeep Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sagar Aggarwal, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner assails order dated 22.6.2020 passed by learned Sessions Judge, Kapurthala, vide which an application filed by him seeking release of Hyundai Venue car bearing registration No. PB-08-EL-1937 on *Superdari* has been declined.
2. A perusal of the impugned order shows that the trial Court has declined the application *inter alia* on the ground that the report regarding ownership of the vehicle had not been received.

3. Since, the vehicle in question was registered with the registering authority at Jalandhar, as would be evident from the particulars annexed as Annexure P-1 and which is a neighbouring District of Kapurthala, where the matter is pending, it remains unexplained as to why the requisite verification could not be obtained from the concerned DTO by the trial Court. In order to dispose of an application for releasing of vehicle on *Supardari*, the information regarding ownership is *sine qua non*. In the absence of such vital information, any order passed by the Court concerned cannot be said to be a justifiable order. Consequently the impugned order dated 22.6.2020 is hereby set aside.
4. The petitioner would be at liberty to file a fresh application before the Court concerned seeking *Supardari* of the vehicle in question. In case any such application is filed afresh by the petitioner, the trial Court shall dispose of the same expeditiously, in accordance with law after seeking requisite information from the registering authority concerned as regards the ownership of the vehicle in question.
5. The petition stands disposed of accordingly.

September 22, 2020

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No