

CRR-2160-2018

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

CRR-2160-2018

Date of Decision:22.01.2020

Angrej Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Bikramjeet Singh Jatana, Advocate,
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

HARNARESH SINGH GILL, J. (Oral)

The present revision petition has been filed challenging the order dated 30.05.2018 passed by the learned Judge, Special Court, Mansa, vide which application filed by the petitioner-accused for releasing motor-cycle CT 100, bearing registration No.PB-31-R-9016, on *sapurdari* to him, has been dismissed.

Learned counsel for the petitioner states that as per Section 63 of the NDPS Act, 1985, the Court can decide for confiscation of vehicle only after the accused is convicted or acquitted or discharged, therefore, the motor-cycle in question is required to be released during the pendency of trial.

Learned State counsel submits that release of the motor-cycle in question on *sapurdari* may remain intact, but it may not be sold during the

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pendency of trial, and the petitioner may be directed to produce the motor-cycle in question as and when required by the trial Court.

In view of the submissions made above, the impugned order is set aside. The trial Court is directed to release the motor-cycle CT 100, bearing registration No.PB-31-R-9016, on *sapurdari* after verification of the ownership of the vehicle and subject to furnishing *sapurdari* and surety bonds to its satisfaction, and further subject to the conditions not to sell/transfer the same to anyone and produce the same as and when required by the trial Court during the pendency of trial.

Disposed of in the aforementioned terms.

22.01.2020

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Note:	Whether speaking/reasoned	:	Yes/No
	Whether reportable	:	Yes/No