

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRA-S-3554-2019(O&M)
Date of decision : 05.03.2020

Sandeep Khatri

... Appellant

Versus

State of Haryana

... Respondent

CORAM: *HON'BLE MR. JUSTICE RAJIV SHARMA*
HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr. Shamsheer Singh Tomar, Advocate
for the appellant.

Mr. Vivek Saini, DAG, Haryana.

RAJIV SHARMA, J. (ORAL)

CRM-38521-2019

Heard. In view of the reasons mentioned in the application duly supported by an affidavit, the application is allowed and delay of 36 days in re-filing the appeal is condoned.

CRA-S-3554-2019

This appeal is preferred against the order dated 30.08.2019 rendered by learned Sessions Judge, Jhajjar.

2. The brief facts necessary for adjudication of the appeal are that the appellant had moved an application for releasing his pistol of .32 bore. According to him, he was an Exserviceman. He was working as private PSO. His pistol was snatched by accused Jaswinder @ Monu. He lodged the FIR no.208 of 2016 in this regard. The pistol was taken into possession by the police. The case against Jaswinder was disposed of vide judgment dated

05.09.2018. The pistol is no more required in the case. The application was contested by the State. According to the averment contained in the reply, the appeal is pending in this Court against the judgment dated 50.09.2018 rendered by the learned Sessions Judge, Jhajjar.

3. The trial Court while pronouncing the judgment dated 05.09.2018 has specifically ordered that the case property, if any, be disposed of, as per rules on expiry of the period of appeal/revision, if any and in case of filing appeal, as per the directions of the appellate Court. The appeal preferred by Jaswinder against his conviction is already pending in this Court. The pistol is the case property and same cannot be released to the appellant.

4. Accordingly, there is no merit in the appeal and the same is dismissed.

(RAJIV SHARMA)
JUDGE

(ARCHANA PURI)
JUDGE

March 05, 2020.

Davinder Kumar

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No