

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

110

CRM-M-3465 of 2021 (O&M)
Date of Decision: 19.02.2021

Swaranjit Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Parminder Singh Sekhon, Advocate,
for the petitioner.

AMOL RATTAN SINGH, J. (ORAL)

CRM-4431 of 2021

Vide this application, the applicant-petitioner seeks to place on record the value of the land owned by a relative of the petitioner, with the said relative willing to provide it as security for the release of the petitioners' vehicle on *Sapurdari*, instead of the petitioner furnishing a bank guarantee for Rs.3,00,000/-, (with it already noticed in the last order that the petitioner did not have Rs.3,00,00/- in the bank).

No notice having been issued in the accompanying petition, notice is not required to be issued in this application, which is consequently allowed subject to all just exceptions and the copy of the aforesaid certificate, shown to be attested

by the Naib Tehsildar, Lambi, on 01.02.2021 (issued by the Revenue Accountant on the same date), is ordered to be taken on record as Annexure A/1 with the accompanying petition.

CRM-M-3465 of 2021

By this petition, the petitioner seeks the modification of the order dated 06.11.2020 (copy Annexure P-3), passed by the learned JMIC, Sunam, in case bearing FIR no.90, dated 15.07.2020, registered at Police Station Chhajli, District Sangrur, alleging therein the commission of offences punishable under Sections 61/78 of the Punjab Excise Act, 1914, whereby the petitioner has been directed to submit security to the tune of Rs.3,00,000/-, in the form of cash security or a bank guarantee.

In view of what has been noticed hereinabove, notice is issued.

Mr. Rana Harjasdeep Singh, learned DAG, Punjab, accepts notice at the asking of the court.

In view of the above, subject to the learned trial court firstly verifying the genuineness of the aforesaid certificate, as also upon (naturally), the said land being provided as surety for release of the vehicle by the relative of the petitioner, the petition is allowed and instead of the petitioner furnishing a bank guarantee or cash security of Rs.3,00,000/-, as has been directed in the impugned order dated 06.11.2020 by the learned JMIC, Sunam, his vehicle would be released on *Sapurdari* upon the said land being attached in lieu thereof, with, naturally, an entry to that effect being made in the revenue record, and with the identity of the owner thereof, and his title thereto, to be fully established by that court.

Equally obviously, the land as would be attached, would not be subjected to any other kind of encumbrance whatsoever during the period of the

trial of the petitioner. Thereafter, of course, orders would be passed as regards the

vehicle in question, as per law.

February 19, 2021
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No