

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

CRM-M-9244-2021 (O&M)

Date of decision-07.12.2021

Karandeep Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Mohit Garg, Advocate
for the applicant-petitioner.

MANOJ BAJAJ, J. (Oral)

CRM-8492-2021

Application is allowed as prayed for.

Annexures A-1 to A-4 are taken on record.

Main case

Petitioner has filed this petition under Section 482 Cr.P.C seeking quashing/modification of the order dated 22.10.2020 passed by Judicial Magistrate First Class Jagraon, District Ludhiana, whereby order dated 16.10.2020 was reviewed and superdari of innova vehicle was allowed along with imposition of condition of depositing bank guarantee of five lakhs.

During the course of hearing, it is not disputed by learned counsel that the observation of this Court in decision dated 28.01.2020 passed in CWP-24941-2019 challenging the amendment in Section 78

of the Punjab Excise Act, 1914, thereby introducing the condition of furnishing Bank guarantee equivalent to the value of the conveyance sought to be released on superdari, was not brought to the notice of the revisional Court, when his application was dismissed in the light of the amended provisions.

Learned counsel for the petitioner prays for withdrawal of this petition and seeks liberty to approach the Court of Sessions once again with an additional ground.

Dismissed as withdrawn with the liberty aforesaid.

(MANOJ BAJAJ)
JUDGE

07.12.2021

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No