

123

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

CRM-M-39064-2021 (O&M)

Date of decision : 21.09.2021

Akram

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Khalid, Advocate for the petitioner.

Mr. Praveen Bhadu, AAG, Haryana.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

Prayer in the present petition filed under Section 482 of Cr.P.C. is for quashing the order dated 18.08.2021 (Annexure P-5) passed by the Sessions Judge, Palwal as well as order dated 31.05.2021 (Annexure P-4) vide which the prayer of the petitioner for releasing the vehicle bearing No.HR-74-A-5264, Engine No.E413CDEL0099805, Model 2014 and Chassis No.MC2F8HRC0EL099349 on superdari has been rejected.

A perusal of the impugned order dated 18.08.2021 passed by the Sessions Judge, Palwal, shows that in case the owner has any grievance against the order passed by the S.D.M., Hodal, he can file an appeal before the Deputy Commissioner and in view of provision of Section 17(3) of the

Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015, the revision petition was not maintainable.

In view of the above, learned counsel for the petitioner seeks permission of this Court to withdraw the present petition with liberty to file appropriate petition before the appropriate Forum.

He has further stated that the petitioner is a poor person and the bar of limitation may come in his way while availing the said remedy.

In view of the statement made by learned counsel for the petitioner, the present petition is dismissed as withdrawn with liberty to the petitioner to avail alternative remedy in accordance with law.

It is further directed that in case, the petitioner moves an application for condonation of delay before the said Forum, the same be considered sympathetically in accordance with law.

All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

21.09.2021

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No