

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(112)

CRM-M-43083-2021

Date of Decision : December 07, 2021

Ajay

.. Petitioner

Versus

State of Haryana and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sushil Jain, Advocate, for the petitioner.

Mr. Gaurav Bansal, Assistant Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner submits that in the impugned order dated 15.06.2021 (Annexure P-3), the trial Court has passed two directions, in respect of registration of an FIR for the alleged offence committed as well as for release of the vehicle on *sapurdari* subject to certain terms and conditions including deposit the penalty amount. Learned counsel for the petitioner very fairly concedes that as the order imposing penalty is not under challenge before any authority, the petitioner is not pressing this petition qua the imposition of the said condition for release of the vehicle by the trial Court vide order dated 15.06.2021 (Annexure P-3), upheld by the Appellate Court vide order dated 21.09.2021 (Annexure P-4).

Learned counsel for the petitioner submits that the trial Court could not have given direction for the registration of an FIR keeping in view the facts and circumstances of this case as the department chose not to act

within the time frame prescribed.

Notice of motion.

Mr. Gaurav Bansal, learned Assistant Advocate General, Haryana, who is present in the Court, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondents-State.

Learned counsel for the respondents-State submits that as of now, no FIR has been registered but the department is duty bound to comply with the order.

No observation is being made qua the said aspect by this Court. In case, any FIR is registered on the direction given by the trial Court in the impugned order, the petitioner will be free to raise all the objections before the competent Court of law qua the registration of FIR as and when any such act comes into being.

Learned counsel for the petitioner submits that in view of the above, no grievance of the petitioner, as raised in this petition survives, hence, he does not press this petition any further and the same may be disposed of as such.

Ordered accordingly.

December 07, 2021
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No