

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

214

CRM-M-1297-2020

Decided on : 01.03.2021

Sukhdeep Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. A.S. Brar, Advocate
for the petitioner(s).

Mr. Luvinder Sofat, AAG, Punjab
assisted by ASI Faily Singh.

MANJARI NEHRU KAUL, J. (Oral)

Learned State counsel on instructions has submitted that the vehicle which was apprehended along with the contraband, would not be required by the investigating agency and hence, they would not oppose the release of the said vehicle (i.e. Honda Activa Scooter) on superdari. He, however, submitted that the petitioner be directed to produce the said vehicle, as and when, the same is required or ordered by the trial Court.

The vehicle is lying unattended in the police station since long. This is of common knowledge that in case the vehicle is not put to use, the machine turns into junk and the value of the same gets diminished. The appellant is the registered owner of the vehicle in question. Accordingly, the order dated 15th September, 2020, passed by Judge, Special Court, Moga, is hereby set aside and the vehicle in question is ordered to be released on superdari, in favour of its registered owner, subject to furnishing superdari bonds to the satisfaction of Illaqa Magistrate/Duty Magistrate/Trial Court

and also subject to filing of a specific affidavit that he shall produce the vehicle as and when required by the competent Court or any other State authority and the vehicle shall not be sold without prior permission of the trial Court. The petitioner shall also undertake that if subsequently the vehicle is found to be involved in any criminal case, the Court reserves its right to cancel the superdari bonds and forfeit the same to the State.

Disposed of.

(MANJARI NEHRU KAUL)
JUDGE

March 01, 2021

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*