

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

**CRR-3-2021(O&M)
Date of Decision -6.1.2021**

Union of India, Department of Narcotic Control Bureau

.....Petitioner

Versus

Devinder Singh

.....Respondents

CORAM:- HON'BLE MR. JUSTICE H.S. MADAAN

Present: Mr.Rajiv Sharma, Senior Standing counsel
for the petitioner/UOI

H.S.MADAAN, J. (ORAL)

Case taken up through video conferencing.

The revisionist/petitioner is aggrieved by the order dated 29.9.2020 passed by learned Additional Sessions Judge, SAS Nagar (Mohali) directing release of vehicle Breeza Car bearing registration No.CH01-BX-3375 on superdari in favour of registered owner Devinder Singh.

As per the case of prosecution on 29.1.2020, on receipt of specific information, a team from Narcotic Control Bureau, Chandigarh intercepted Breeza Car bearing registration No.CH01-BX-3375 at toll barrier Dappar and apprehended Sukhwinder Singh and Harpreet Singh, who were carrying contraband in that car. The contraband recovered was seized. The said car in which it was being carried was also taken into possession.

The concern of the revisionist/petitioner is that two

more culprits are yet to be arrested in this case and the superdar/registered owner to whom the car has been ordered to be released may change colour and condition of the car adversely affecting the investigation.

I have gone through the impugned order with able assistance of learned Senior Standing counsel and I find that apprehension expressed by the revisionist/petitioner has been adequately taken care of since one of the conditions for release of vehicle on superdari is that superdar shall not change its colour and condition. Furthermore, the recovery having been effected on 29.1.2020, the car remained with revisionist/ Narcotic Control Bureau, Chandigarh for about eight months, which was sufficient time for the investigation. Furthermore, in case the revisionist/ Narcotic Control Bureau, Chandigarh finds that the car in question is required to be scrutinized or examined for the purpose of further investigation qua the other two accused against whom complaint has not been filed so far, then it can move appropriate application before the trial Court, which shall then direct the superdar to produce the car in the Court, the temporary custody of which can then be given to Narcotic Control Bureau, Chandigarh for the purpose of investigation. Therefore, I do not find any reason to set aside the impugned order.

With the observations above, the revision petition stands dismissed accordingly.

6.1.2021
Brij

(H.S. MADAAN)
JUDGE

Whether reasoned/speaking : **Yes/No**
Whether reportable : **Yes/No**