

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

**CRM-M-2801-2021
Decided on: 23.11.2022**

Deepak

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Mohit Jaggi, Advocate
for the petitioner.

Mr. Aditya Kapoor, AAG, Punjab.

ANOOP CHITKARA, J.

Aggrieved by huge amount of bank guarantee for release of Mahindra Bolero, Model 2013 bearing registration No.PB-13-AF-7033 *on supardari*, which was seized under the Punjab Excise Act, the petitioner who is the registered owner came up before this Court.

Vide order dated 21.10.2020, learned Additional Chief Judicial Magistrate, Sangrur, directed the release of the said car subject to furnishing surety bonds in the sum of Rs.3,00,000/- along with security in the form of cash or bank guarantee equivalent to the amount in question along with other conditions.

In **Darshan Singh Vs. State of Punjab** CWP-24941-2019 etc. decided on 28.01.2020, a Division Bench of this Court passed the following order:-

“6. In the circumstances, we deem it appropriate to order the release of the vehicles on Sapurdari on the condition that the petitioners shall deposit 20% of the assessed amount in cash and give security for the remaining amount along with the other conditions which may have been imposed by the Court to the satisfaction of the Trial Court.

7. In view of the stand of the State it is clear that no useful purpose would be served by keeping these petitions pending. Consequently, the same are disposed of as having been rendered infructuous.”

Given above, the guarantee amount is reduced to 20% in the light of the judgment cited above. Thus, instead of Rs.3,00,000/- the guarantee amount stands reduced to Rs.60,000/- which he can deposit in cash or in the shape of FDR and surety

bonds for the remaining amount i.e. Rs.3,00,000/-. The remaining part of the order shall remain as it is.

Petition allowed in aforesaid terms. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

23.11.2022
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Whether speaking/reasoned:	Yes
Whether reportable:	No.