

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

228

CRM-M-13935-2019

Date of Decision: 09.09.2022

Sandeep

... Petitioner

VS.

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL

Present: Mr. Ravi Malik, Advocate for the petitioner

Mr. Chetan Sharma, AAG Haryana

Sandeep Moudgil, J. (Oral)

In the present petition, there is challenge to the order dated 06.03.2019 (Annexure P1) passed by the Additional Sessions Judge, Panipat whereby the petitioner's application for releasing the pistol .32 bore and original arms licence No.891/9/P/2008 impounded as case property in FIR No.502 dated 29.07.2016 under Section 307/326/452 read with Section 34 IPC and Section 27 of the Arms Act, registered at Police Station Model Town, Panipat, has been dismissed on the ground that prosecution has preferred an appeal against the judgment dated 24.10.2017 passed by the learned Additional Sessions Judge, Panipat holding as such that the petitioner is not entitled for release of the pistol as well as original arms licence. Today, learned counsel for the petitioner has produced a copy of the order dated 31.08.2022 passed in CRM-A-2440-2019 whereby a Division Bench of this Court has dismissed the application seeking leave to appeal and the order of acquittal has been upheld. Copy of the said judgment is attached as Mark 'A'.

Learned State counsel could not controvert the fact and candidly submits that in the light of the above, the order impugned herein dated 06.03.2019 is liable to be quashed.

Accordingly, this petition is allowed and the order dated 06.03.2019 is hereby quashed.

09.09.2022

V.Vishal

(Sandeep Moudgil)
Judge

1. Whether speaking/reasoned?
2. Whether reportable?

Yes/No
Yes/No