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IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M No.23841 of 2022 (O&M)

Date of decision: 27.05.2022

Manga Singh

....Petitioner

Versus

State of Punjab

....Respondent

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

**Present:** Mr. Kulwinder Singh, Advocate  
for the petitioner.

**ARVIND SINGH SANGWAN J. (Oral)**

Challenge in this petition is to the order dated 17.03.2022 passed by the Revisional Court passed in Revision No.62 dated 08.03.2022 titled as "*Manga Singh vs State of Punjab*" and for setting-aside the order dated 07.02.2022 passed by the trial Court in case FIR No.311 dated 18.11.2021 under Section 61(1) of the Punjab Excise Act, Police Station Sadar Mansa, District Mansa, vide which the motorcycle bearing registration No.PB31-V-2053 was ordered to be released on superdari on furnishing cash surety or bank guarantee to the tune of Rs.50,000/- with one surety in the like amount.

Counsel for the petitioner has argued that while allowing the application for releasing the aforesaid motorcycle on superdari, a condition is imposed by the trial Court that the petitioner should furnish either cash surety or bank guarantee to the tune of Rs.50,000/-. It is further submitted that the petitioner challenged the said order before the Revisional Court, however, the same was dismissed. It is also submitted that the petitioner is a poor person having no independent source to

comply with the said direction and despite the fact that the trial Court passed an order of releasing the motorcycle on superdari on 07.02.2022, the same is lying in possession of the police and with the passage of time, it will become useless, if it remain lying parked in the premises of Police Station.

Notice of motion.

Mr. Joginder Pal Ratra, DAG, Punjab who is present in the Court accepts notice on behalf of the respondent – State and has not opposed the submissions made by counsel for the petitioner.

After hearing the counsel for the parties and in order to avoid any further delay in disposal of the case, the present petition is allowed and the impugned order passed by the Revisional Court dated 17.03.2022 is set-aside and the order dated 07.02.2022 is modified to the extent that instead of furnishing cash surety or bank guarantee to the tune of Rs.50,000/-, the petitioner will furnish the surety equivalent to the tune of Rs.50,000/-, however, the remaining conditions imposed by the trial Court will remain the same.

Disposed of.

**(ARVIND SINGH SANGWAN)**  
**JUDGE**

**27.05.2022**

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No