

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25312-2022

Date of decision : 2.6.2022

Vikrant Malik

..... Petitioner (s)

Versus

State of Punjab

..... Respondent (s)

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. M.S. Dhillon, Advocate
for petitioner.
Mr. B.S. Sewak, Additional A.G. Punjab.
-.- -.-

HARINDER SINGH SIDHU, J.

Petitioner has filed this petition praying for modification of order dated 22.1.2021 passed by learned Chief Judicial Magistrate, Patiala in case FIR No. 91 dated 14.8.2020 registered under Section 61/78 (2) of the Punjab Excise Act, 1914 at Police Station Sanour, District Patiala whereby his application for release of a car No. HR 06 L 0645 on superdari has been allowed subject to his furnishing bank guarantee in the sum of Rs. 2,00,000/-.

Learned counsel for petitioner submits that there is no other source of income except the vehicle in question and that the petitioner is not in position to comply with the condition of furnishing bank guarantee. He is ready to furnish surety bonds of the same amount i.e. Rs. 2,00,000/-.

On the other hand, learned State counsel has supported the impugned order.

Having heard learned counsel for parties and taking note of the facts, this petition is allowed. Order dated 22.1.2021 is modified to the extent that instead of furnishing bank guarantee/cash surety, petitioner shall now file surety bonds of Rs. 2,00,000/- for release of the vehicle on superdari besides complying with other conditions imposed vide impugned order.

(HARINDER SINGH SIDHU)
JUDGE

2.6.2022
sjks

Whether reasoned order : Yes / No

Whether reportable : Yes / No