

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

**CRM-M-3904-2021
DECIDED ON: 17th NOVEMBER, 2022**

PREM PAL

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Narinder Singh Dadwal, Advocate
 for the petitioner.

Mr. Rajiv Verma, DAG, Punjab.

SANDEEP MOUDGIL, J

Prayer in the present petition is for quashing the judgment dated 21.01.2020 (Annexure P-3) passed by learned Additional Sessions Judge, SAS, Nagar, Mohali whereby order dated 16.11.2019 (Annexure P-2) passed by the learned Judicial Magistrate Ist Class, Kharar dismissing application moved by the petitioner for release of his car bearing registration No. PB-13-BE-8761 (Old No. HR-55-U-2486) on superdari, was upheld.

It is asserted that the vehicle, in question, has been lying parked in the police station since the very date of registration of FIR and that no useful purpose would be served by keeping the said vehicle as such. It is submitted that the petitioner is ready to furnish the security amount for getting release of the afore-said vehicle. He has also placed reliance upon

the order dated 23.08.2022, passed by a co-ordinate Bench of this Court in CRM-M-10188-2021, to submit that the vehicle can be released on certain conditions as observed in the said order.

On the other hand, learned State counsel has opposed the prayer made in the present petition on the ground that the co-accused in the present case are yet to be arrested. It is contended that despite issuance of new registration number to the petitioner for the alleged vehicle, the petitioner was using the old registration number on the said vehicle, which shows his malafide intention.

Having heard learned counsel for the parties.

In the present case, a huge quantity of 360 bottles of country made liquor was recovered from the vehicle, in question. From the affidavit dated 11.12.2019 it is forthcoming that the vehicle in question has been purchased by the son of the petitioner from Victory India Holidays, Gurgaon, but in the registration certificate of Car bearing registration No. PB-13-BE-8761, the petitioner has been mentioned as the owner.

In view of afore-said discussions, it is abundantly clear that the petitioner was driving the vehicle, in question, by putting the old registration No. HR-55-U-2486 with a malafide intention.

This Court does not find any illegality, infirmity or perversity in the impugned orders, as such the same are upheld.

Dismissed.

(SANDEEP MOUDGIL)
JUDGE

17th NOVEMBER, 2022

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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>