

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

225

CRM-M-50043-2021

Date of Decision: 23.02.2022

Arshad

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Arjun Atri, Advocate for the petitioner.

Mr. Rajat Gautam, DAG, Haryana.

(Through Video Conferencing)

ANOOP CHITKARA J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing the order dated 28.01.2021 (Annexure P-3) passed by learned Judicial Magistrate Ist Class, Rewari.

Learned State counsel has opposed the present petition on the ground that request to release a vehicle is maintainable only before the competent authority under Section 17 of Haryana Gauvansh Sanrakshan and Gausamvardhan Act. He further submits that courts have no jurisdiction at the initial stage.

Learned counsel for the petitioner submits that he would be satisfied in case when he files an application for release of the vehicle before the competent authority, the competent authority to decide the same within a time bound manner.

Given above, the petitioner is at liberty to file an application before the competent authority, who shall decide the same within the statutory time limit prescribed and in case no such statutory time period is prescribed, then within two weeks from the date of receipt of the application.

In case of any grievances, it shall be open for the petitioner to approach this Court again. The petitioner shall not seek any adjournment before the competent authority. If he does so, the time sought by the petitioner shall be excluded for computing two weeks period for decision.

Petition is disposed of as partly allowed to the extent mentioned above.

**(ANOOP CHITKARA)
JUDGE**

23.02.2022

jyoti-II

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