

S. No.236

2023:PHHC:125968

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRA-S-567 of 2020 (O&M)

Date of Decision:25.09.2023

Nachattar Singh @ Satta

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. G.S. Sandhu, Advocate for the petitioner.

Mr. P.S. Pandher, AAG, Punjab.

DEEPAK GUPTA, J. (Oral)

On 03.07.2023, following order was passed by this Court:-

*“This is an application under Section 482 Cr.P.C. for releasing vehicle
i.e. Alto car bearing No.PB-11BV-5285 during the pendency of the appeal.*

*It is submitted by learned counsel for the applicant-appellant that appeal
against conviction bearing CRA-S-327-2020 has already been admitted by this
Court vide order dated 28.01.2020.*

Notice of the application to the respondent-State.

*Mr. M.S. Nagra, Asstt. A.G., Punjab accepts notice on behalf of
respondent-State. Copy of the application be supplied to him during the course
of day.*

*Reply to the application be filed on 24.07.2023, the date already fixed in
the main appeal.”*

Reply to the application has already been filed as per which vehicle
in question has been taken into possession on 24.06.2020 from petitioner –
Nachattar Singh as per direction of the Court.

Considering the fact that appeal against conviction of the petitioner is
already admitted by this Court vide order dated 28.01.2020, therefore, vehicle in

question will be reduced to junk if till the pendency of the appeal, vehicle in question is not released to the petitioner.

Therefore, the present petition is accepted. Vehilce, i.e. Alto Car bearing Registration No.PB-11BV-5285 is ordered to be released on superdari to the petitioner on furnishing superdarinama in the sum of ₹3 lacs with a surety in the like amount to the satisfaction of SHO concerned till pendency of the appeal.

This order shall be subject to outcome of CRA-S-327 of 2020.

September 25, 2023
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Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No

(DEEPAK GUPTA)
JUDGE