

231 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-11507-2021

DATE OF DECISION:-09.02.2023

Kimti Kumar

...Petitioner.

V.

State of Punjab and others

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Amtiaz Sandhu, Advocate for
Mr. Karan Bhardwaj, ADvocate,
for the petitioner.

Mr. Amit Shukla, AAG, Punjab,
for respondents No.1 to 3-State.

Ms. Puja Chopra, Advocate,
for respondents No.4 and 5.

HARKESH MANUJA, J. (ORAL)

By way of present petition filed under Section 482 Cr.P.C., prayer has been made for issuance of direction to respondents No.1 to 3 to take appropriate legal action against respondents No.4 and 5, who have been trying to take forcible possession of the vehicle from the petitioner, which was got financed from them.

On 12.03.2021, this Court passed the following order:-

“Learned counsel for the petitioner submits that his vehicle was financed for an amount of Rs.15,75,750/- and which was to be repaid in 35 monthly instalments of 56,769/- each.

Learned counsel for the petitioner has submitted that as on date, after availing the moratorium of 6 months, only 2 instalments are due. Learned counsel has submitted

that he shall deposit an amount of Rs.56,769/- within one week from today.

Notice of motion for 08.07.2021.

Meanwhile, the petitioner be not dispossessed of his vehicle subject to the condition that the petitioner pays an amount of Rs.56,769/- within a period of one week from today and thereafter keeps on paying regularly the remaining instalments.”

Learned counsel for respondents No.4 and 5 submits that on account of non-compliance of order dated 12.03.2021 passed by this Court, vehicle in question was re-possessed by the finance company in terms of the agreement entered into between the parties and the same already stands sold for the purpose of effecting the recovery of loan amount.

In view of the above, learned counsel for the petitioner submits that nothing survives to be adjudicated upon in the present case, at this stage.

Accordingly, the present petition is disposed of as having been rendered infructuous.

09.02.2023

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(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No