

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

CRM-M-20402-2023
Date of decision: 26.04.2023

ASLAM

.....Petitioner

versus

STATE OF HARYANA AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Mazlish Khan, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

NAMIT KUMAR, J. (ORAL)

This is a petition under Section 482 Cr.P.C. seeking quashing of impugned order dated 14.03.2023 (Annexure P-5) passed by the learned Additional Sessions Judge, Nuh, as well as the order dated 28.02.2023 (Annexure P-4), passed by the learned Judicial Magistrate First Class, Ferozepur, Jhirka, vide which the application for superdari has been dismissed and further respondent No.2 be directed to release the vehicle on superdari.

The petitioner had earlier filed CRM-M-59805-2022, which was withdrawn by the petitioner with liberty to avail other alternative legal remedies in accordance with law vide order dated 24.01.2023. Instead of approaching the competent authority for the release of the vehicle, the petitioner has filed an application before the Court of learned Judicial Magistrate First Class, Nuh, which has also been dismissed vide order dated 28.02.2023 with the observation that the petitioner has an alternative remedy under the State Minings Rules, 2012. The said order has been upheld by the Court of learned Additional Sessions Judge, Nuh vide orders dated 14.03.2023 passed in revision petition.

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Faced with this, learned counsel for the petitioner wishes to withdraw the present petition with liberty to approach the competent authority, as observed in the order dated 28.02.2023 passed by the trial Court.

Dismissed as withdrawn with aforesaid liberty.

26.04.2023
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(NAMIT KUMAR)
JUDGE

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