

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

124+245

CRM-M-21181-2023 (O&M)
Date of Decision:May 08, 2023

Gurpreet Singh

.....Petitioner(s)

Vs.

Union of India

.....Respondent(s)

CORAM:HON'BLE MR.JUSTICE ANOOP CHITKARA

Present: Mr. Raj Kumar Gupta, Advocate for the petitioner.

Mr. Rajiv Sharma, Advocate for the applicant-respondent-NCB.

ANOOP CHITKARA J. (ORAL)

CRM-20752-2023

Allowed as prayed for and annexures R-1 is taken on record.

CRM-21181-2023

Aggrieved by the rejection of prayer to release the vehicle confiscated under section 60 of NDPS Act, 1985 vide order dated 19.05.2022 passed by learned Special Judge, Hoshiarpur, the petitioner, who claims to be registered owner of the vehicle (PB-10-ES-7234) has come up before this Court.

2. Counsel for the respondent-NCB strenuously opposed the release of the vehicle in question on the ground that vehicle was specifically modified creating secret chamber where drugs were being transported. His objection is that preparation of secret chamber shows the mala fide intention of the vehicle owner as such modification could not have been done without his knowledge and consensus. He further submits that it was specifically mentioned in the trial Court's order that in case, the vehicle is released on *sapurdari*, then the accused may temper with the body of the same which would effect the trial.

3. Considering the entirety of facts and circumstances of the case, the petitioner is not entitled to get release of the vehicle on *sapurdari* and there is no illegality in the trial Court order. Accordingly, the present petition is dismissed and disposed of as such.

(ANOOP CHITKARA)
JUDGE

May 08, 2023
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Whether speaking/reasoned: Yes/No
Whether reportable: No