

108 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:063818
CRM-M-22148-2023
Date of Decision: May 03, 2023

Gaurav Stone Crusher through its proprietor ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Manoj Kumar Pundhir, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

Prayer in this petition is to quash the order dated 09.02.2023 (Annexure P-6) passed by learned Additional Chief Judicial Magistrate, Hissar; and the order dated 31.03.2023 (Annexure P-8), vide which revision petition against the order dated 09.02.2023 has been dismissed, whereby the application of the petitioner for release of his vehicle on Superdari, has been dismissed.

It is pointed out that by the time impugned orders were passed, FIR in the case had not been registered. However, after passing of the impugned order, FIR No.246, dated 10.04.2023 under Section 21 of the Mines and Minerals (Regulations of Development) Act, 1957 and Section 379 IPC, was registered at Police Station HMT Hissar, District Hissar.

As such, this petition is disposed of with liberty to the petitioner to approach the Jurisdictional Magistrate with fresh application for releasing of his vehicle on Superdari. If any such application is moved, the same shall be disposed of by the Magistrate expeditiously, in accordance with law.

May 03, 2023
sarita

(DEEPAK GUPTA)
JUDGE

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