

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

112

CWP-9577-2023

Date of Decision: 18.05.2023

MALKEET AND ANOTHER

... Petitioner

VERSUS

STATE OF PUNJAB STATE OF PUNJAB AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Hardik Ahluwalia, Advocate for
Mr. A.S. Manaise, Advocate for the petitioners.

Mr. Saurav Verma, Addl. A.G., Punjab.

VINOD S. BHARDWAJ, J. (ORAL)

The present petition has been filed for seeking issuance of directions to the official respondents to release white colour Maruti Brezza car bearing No.PB-29AF-2075 owned by the petitioner No.1 alongwith the documents mentioned in the petition.

Learned counsel for the petitioners contends that the said car had been unlawfully detained by the police and that there was no case that had been registered in which the said car was required.

Notice had been issued to the respondent-State to verify the said aspect, whereupon it has been informed that the said car had been abandoned by the accused in FIR No.29 dated 13.03.2023 registered under Section 420 of the IPC at Police Station Kotbhai, District Sri Muktsar Sahib and the same was thus seized by the police.

Under the given circumstances, when the car in question has been seized by the police and the same being part of investigation in a pending case, the present writ petition would not be maintainable.

Faced with the above, learned counsel for the petitioners seeks withdrawal of the present petition with liberty to the petitioner to take recourse to the alternative and efficacious remedy available to him in accordance with law.

Disposed of withdrawn with the liberty as aforesaid.

18.05.2023
rajender

(VINOD S. BHARDWAJ)
JUDGE

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