

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRR No. 654 of 2021 (O&M)
Date of decision: 25th July, 2023

Javed Ahmed Bhatt

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Manbir Singh Basra, Advocate for the petitioner.
Ms. Navreet Kaur Barnala, AAG, Punjab.

AVNEESH JHINGAN, J (Oral):

1. This petition is filed aggrieved of order dated 23.4.2021 rejecting the prayer for release of truck bearing registration No. JK-22-8711 on *superdari*.
2. The relevant facts are that the truck in question was seized accompanying the truck carrying arms and ammunitions.
3. One of the main ground for challenging the impugned order now being raised is that the truck from which arms and ammunitions were recovered was ordered to be released on superdari by this court vide order dated 1.6.2023 in CRR No. 659 of 2021.
4. The prayer made is being opposed by learned counsel for the State on instructions from DSP-Sumeer Singh Mann present in court on three grounds: firstly that the petitioner is not the registered owner of the truck; secondly that the other truck was ordered to be released by this court for non-compliance of the provisions of the Unlawful Activities (Prevention) Act, 1967, lastly that the order seizing the truck in question has been passed and communicated to the petitioner and he has statutory remedy for challenging the order of seizure.
5. At this stage, learned counsel for the petitioner is not disputing

the fact that the order of seizure of the truck has been communicated to the petitioner. He seeks liberty to avail remedies in accordance with law for challenging the order.

6. Without commenting on the merits of the case, the present petition is disposed of with liberty to the petitioner to avail remedies in accordance with law for challenging the seizure order.

7. There is no doubt that in eventuality of petitioner's availing remedies against the seizure order, the same would be decided in accordance with law without being influenced with the observation made in the impugned order.

[AVNEESH JHINGAN]
JUDGE

25th July, 2023
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1. Whether speaking/ reasoned

:

Yes / No
2. Whether reportable

:

Yes / No