

2023:PHHC:116977

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

CRM-M-49075-2017

Date of Decision: 05.09.2023

M/S ESSKAY FINCORP LIMITED

... PETITIONER

VS.

STATE OF HARYANA & ANR

.. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Rajbir Singh, Advocate, for the petitioner.

Mr. Surinder Kumar Dagar, DAG, Haryana.

VIVEK PURI, J.(ORAL)

1. The petitioner has assailed the order dated 09.08.2017 passed by the Court of learned Additional Sessions Judge, vide which, directions have been issued to release the vehicle on superdari to the petitioner on furnishing superdaginama in the sum of Rs.10 lac with one local surety in the like amount.

2. Learned counsel for the petitioner contends that the petitioner is aggrieved with regard to the condition imposed upon to furnish of superdaginama and the surety. It has been submitted that the petitioner is Financer and as such entitled to release of vehicle on superdari, without furnishing superdaginama and surety.

3. It has not been disputed that the vehicle bearing registration No. RJ07-UA-4668 is the case property in the case bearing FIR No. 131 dated 26.02.2016 under Sections 363/366-A/376(2N) IPC and Section 6 of the POCSO Act registered at Police Station Sirsa City, District Sirsa. Superdar is the custodian of the vehicle on behalf of the Court and in such circumstances, the release of vehicle without furnishing of superdaginama

and bonds may not be appropriate and permissible. Consequently, no ground for interference in the present petition is made out.

4. Dismissed.

05.09.2023
smriti

(VIVEK PURI)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No