

217 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-1724-2022

Date of Decision: February 24, 2023

Narinder Kumar @ Ninder

...Petitioner

Versus

State of Punjab

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. R.P. Dhir, Advocate for the petitioner.

Mr. Parneet Singh Pandher, AAG, Punjab.

DEEPAK GUPTA, J.(Oral)

Vehicle bearing registration No.PB-07-AW-9807 was taken into possession during investigation of case FIR No.75, dated 13.06.2021, under Sections 21, 21(b) and 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Garhshankar, District Hoshiarpur, from the possession of the petitioner for keeping in possession of contraband of non-commercial quantity. Petitioner applied for the release of the said vehicle on *sapurdari* but the same has been declined by the learned Addl. Sessions Judge, Hoshiarpur by way of impugned order dated 20.09.2021. Prayer is made by the petitioner for release of the said vehicle.

The apprehension expressed by the respondent-State by way of the affidavit of Daljit Singh, Deputy Superintendent of Police, Sub Division Garhshankar, District Hoshiarpur, is that in case the vehicle is released on *sapurdari*, it may be used for the same purpose, i.e. for carrying contraband.

Though, the petitioner is not the registered owner of the vehicle as it is his father, who is the registered owner, but his father has since expired as stated by learned counsel for the petitioner. Brother of

the petitioner has given affidavit (Annexure P-8) for releasing the vehicle in the name of his brother, namely, Narinder Kumar @ Ninder, i.e. petitioner.

It is directed that vehicle in question be released to the petitioner during the pendency of the trial on furnishing *sapurdginama* to the satisfaction of the Trial Court, which will be at liberty to impose necessary conditions for such release.

Disposed of.

February 24, 2023
sarita

(DEEPAK GUPTA)
JUDGE

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