

246 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:088282
CRM-M-56277-2022
Date of Decision: July 14, 2023

Mukesh Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Alok Mittal, Advocate for the petitioner.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

DEEPAK GUPTA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is to set aside the order dated 22.08.2022 (Annexure P-3) passed by learned Judicial Magistrate 1st Class, Mahendergarh and order dated 16.11.2022 (Annexure P-4) passed by learned Addl. Sessions Judge, Narnaul, declining the release of vehicle with registration No.RJ-18-GB-7912 on superdari, which had been impounded during investigation in case FIR No.139, dated 24.08.2021, registered at Police Station Satnali, District Mahendergarh, under Sections 148, 149, 302, 307, 323, 452, 506, 54 and 120-B IPC and Section 25 of the Arms Act.

Reply by way of affidavit of Shri Ranbir Singh, Deputy Superintendent of Police, Mahendergarh, District Mahendergarh on behalf of respondent-State has already been filed.

A perusal of the impugned order dated 22.08.2022 (Annexure P-3) reveals that superdari of the vehicle in question was declined simply for the reason that matter by that time was committed to the Court of Sessions.

Order dated 16.11.2022 (Annexure P-4) of learned Addl.

Sessions Judge, Narnaul shows that superdari has been declined on the

ground that the vehicle in question had been used for commission of alleged crime.

Trial may take time to conclude. The vehicle in question is likely to be junked if kept lying in the police station. No purpose shall be served if the same is kept in the police station. As such, the impugned orders are hereby set aside. Vehicle bearing registration No.RJ-18-B-7912 is directed to be released on superdari to its registered owner on furnishing superdginama to the satisfaction the Trial Court concerned.

Disposed of.

July 14, 2023
sarita

(DEEPAK GUPTA)
JUDGE

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