

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-18572 of 2023(O&M)
Date of Decision: 16.01.2024

Sonu
...Petitioner
Versus
State of Haryana
...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr.M.R. Sharma, Advocate
For the petitioner.

Mr. Vishal Kashyap, DAG Haryana.

KARAMJIT SINGH, J.

1. The present petition has been filed by the petitioner seeking setting aside of order dated 20.03.2023 (Annexure P-3) passed by the Court of Additional Sessions Judge, Rewari vide which the application filed by the petitioner seeking release of his vehicle No. HR-55AF/8997 on *superdari* in a criminal case having FIR No. 264 dated 26.12.2021, registered at Police Station Rampura, District Rewari, under Sections 15 and 16 of Petroleum and Mineral Pipe Line Act, 1962, under Sections 379, 117, 411, 413, 420, 467, 413, 420, 467, 468, 471, 120-B read with Section 34 IPC, Sections 3 and 4 of Prevention of Damage to Public Property Act, Section 15(4) Petroleum and Mineral Amendment Act, 2021 and Sections 3 and 4 of Explosive Substance Act and Sections 25/54/59 of Arms Act, has been dismissed.
2. The counsel for the petitioner submits that the petitioner is registered owner of the said vehicle which has been falsely planted in the

aforesaid criminal case. The counsel for the petitioner further submits that no purpose is served by keeping the vehicle in question in the premises of the police station. So, prayer is made that the said vehicle be released on *superdari* to the petitioner.

3. Status report filed by the State by way of affidavit of Amit Bhatia, Deputy Superintendent of Police, District Rewari filed on behalf of the State is already there on record .

4. The State counsel, on instructions from ASI Balwan Singh, has not disputed the fact that the vehicle in question which is a tanker is owned by the petitioner and that no purpose is going to be served by keeping the said vehicle in the compound of the concerned police station for any longer period.

5. In light of above, the present petition is hereby allowed and the impugned order is set aside and vehicle No. HR-55AF/8997 is directed to be released on *superdari* to the petitioner subject to his furnishing *superdarinama* in the sum of Rs.20,00,000/- with one surety in the like amount to the satisfaction of the Court concerned subject to the following conditions:-

(i) *that the petitioner shall not change the color/ nature of the vehicle in any manner till the decision of the main case;*

(ii) *the petitioner shall produce the vehicle in the trial Court as and when directed to do so;*

(iii) *that he shall not dispose off/ transfer the same without the prior permission of the trial Court till the final disposal of the trial and*

(iv) that in future the vehicle in question be not used by the petitioner in any such like illegal activity.

6. Petition stands allowed accordingly.

(KARAMJIT SINGH)
JUDGE

16.01.2024
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No