

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-19220-2024 (O&M)
Date of order: 01.05.2024

Vikrant Sangwan
... Petitioner(s)
Versus
State of Haryana
...Respondent (s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA
Present:- Mr. Neeraj Sansaniwal, Advocate
for the petitioner(s).
Mr. Rajat Gautam, Addl.A.G., Haryana.

ANOOP CHITKARA, J.

1. Challenging the order dated 9.11.2023 passed by Additional Sessions Judge, Gurugram, whereby the application for releasing the vehicle of the petitioner, on *superdari*, he has come up before this court under section 482 of the Code of Criminal Procedure, 1973 (CrPC).
2. During the course of hearing, on a query by the Court, counsel for the petitioner submitted that the vehicle in question is mortgaged with ICICI Bank.
3. Once the vehicle in question i.e. Range Rover Discovery is mortgaged with ICICI Bank, the said Bank was a necessary party before the release of said vehicle. However, a perusal of the petition reveals that ICICI Bank has not been impleaded as a party in this petition. If the loan was taken by petitioner, no such document is annexed to establish that he had taken loan.
4. State opposes the release of the vehicle by submitting that it is a very expensive vehicle which was purchased out of the crime money and there are allegations about *prima facie* involvement of the petitioner. State's counsel submits that in case this Court is inclined to release the vehicle in question to stop its devaluation, the same be released once the petitioner is able to get NOC from the Bank and regarding the remaining amount, he volunteers to hand over an FDR.

5. Given above, since the ICICI Bank has neither been impleaded as a party nor any record *qua* loan is annexed, the present petition is dismissed. However, liberty is granted to the petitioner to file a fresh petition after impleading ICICI Bank as a party or by annexing the hypothecation documents in accordance with law.

(ANOOP CHITKARA)
JUDGE

May 01, 2024
AK

Whether speaking/reasoned	:	Yes
Whether reportable	:	No