



IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH
Sr. No.: 185

CWP No.13646 of 2024
Date of Decision: 30.05.2024

Salwinder Singh

..... PETITIONER (S)

VERSUS

State of Punjab and others

..... RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA
HON'BLE MR.JUSTICE SUDEEPTI SHARMA

...

PRESENT: - Mr.Vishal goel, Advocate for the petitioner.

SANJEEV PRAKASH SHARMA, J (Oral)

Notice of motion.

Mr.Saurabh Kapoor, Addl.AG Punjab, accepts notice on behalf of the respondents.

Learned counsel for the petitioner has submitted that in another writ petition *bearing CWP No.16823 of 2022 Karnail Dass Vs. State of Punjab and others* vide interim order, the Coordinate Bench vide order dated 28.03.2023 directed to release the vehicle after accepting 20% in cash and security in the form of bank guarantee for the remaining amount.

Learned counsel submits that we should also pass the same order in the present case. However, we found that the petitioner had moved an application CRM-219-2023 seeking release of the car before the concerned court of ACJM, Patiala wherein the learned ACJM, Patiala directed for release of the vehicle on his furnishing superdari bonds in the sum of Rs.3 lacs with bank guarantee. The said order of ACJM was



challenged by the petitioner in this Court by way of filing CRM-M-7314-2024 under Section 482 Cr.P.C. which was decided on 21.02.2024 and after discussing law and the order passed by the Division Bench in a case of similar nature by depositing 20% of the assessed amount in cash and giving security for the remaining amount, the petition was dismissed and the order passed by the ACJM, Patiala was upheld. The petitioner, thereafter, has preferred this petition and sought to challenge the provisions of the Act. To get the order passed by the High Court and the concerned ACJM modified the approach adopted by the petitioner is deprecated. We would not interfere in the order passed in the petition filed under Section 482 Cr.P.C. merely because the petitioner seeks to challenge the provisions of the Act. Even otherwise the petition is misconceived and is accordingly dismissed with costs of Rs.10,000/- to be deposited with the High Court Legal Services Committee.

(SANJEEV PRAKASH SHARMA)
JUDGE

(SUDEEPTI SHARMA)
JUDGE

May 30, 2024
Meenu

<u>Whether Speaking/ Reasoned:</u>	<u>Yes/ No</u>
<u>Whether Reportable:</u>	<u>Yes/ No</u>