



CRM-M-49732-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(140)

CRM-M-49732-2024
Date of Decision : 03.10.2024

Fouja Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Karan Bhardwaj, Advocate
for the petitioner.

Mr. Pardeep Bajaj, DAG, Punjab.

KULDEEP TIWARI, J.(ORAL)

1. Through the instant petition, filed under Section 528 of BNSS, 2023, a prayer is made for issuance of mandamus to official respondents No.1 to 3, to take necessary steps to the effect that no obstruction is caused by private respondents No.4 and 5, in plying of the vehicle of the petitioner, as private respondents No.4 and 5, are making an attempt to take forcibly possession of the vehicle through their henchmen.

2. Learned counsel for the petitioner on asking for the relief (supra, has placed reliance upon *Manager, ICICI Bank Ltd. vs. Praksh Kaur and others, 2007(2) R.C.R. (Criminal) 76* and *ICICI Bank vs. Shanti Devi Sharma and others, 2008(3) R.C.R. (Criminal) 463*, and submits that the recovery of loan or seizure of vehicles could be done only through legal means.

3. Without issuing notice of motion in the instant petition, a mandamus is passed upon the official respondents No.1 to 3, to take all

necessary steps to the effect that no obstruction in plying of the vehicle of the petitioner, is caused on the part of private respondents No.4 and 5, without adhering to the procedure of law.

4. **Disposed of** accordingly.

(KULDEEP TIWARI)
JUDGE

October 03, 2024
Manpreet

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