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**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM-M-12440-2017

Date of Decision:-12.11.2025

ANKI KHURANA

.....Petitioner

VERSUS

STATE OF HARYANA & OTHERS

.....Respondents

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Saurabh Dalal, Advocate
for the Petitioner.

Mr. Vipul Sherwal, Asstt. A.G., Haryana.

JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 482 Cr.P.C. is for quashing of the impugned order dated 26.08.2016 whereby the petitioner has been ordered to keep the property intact till the decision of the appeals filed in this Court by respondent Nos.2 to 6 against their conviction.

2. The brief facts of the case are that respondent Nos.2 to 6 faced trial in FIR No.80 dated 22.06.2012 U/s 395, 397, 120-B IPC and Section 25 of Arms Act, P.S. Sector 55/56, Gurgaon and came to be convicted and sentenced by the Court of Addl. Sessions Judge, Gurgaon vide judgment dated 24/25.09.2015. The respondent Nos.2 to 6 preferred appeals before this Court vide CRA-S-4408-SB-2015 and CRA-S-4788-SB-2015 which stand admitted.

3. After conclusion of the trial, the petitioner filed an application

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the petitioner could use her property as per her wish or dispose it of. The said application came to be rejected vide order dated 26.08.2016 and the Court ordered that the property be kept intact during the pendency of the appeal.

4. The order dated 26.08.2016 is under challenge in the present petition.

5. The learned counsel for the petitioner contends that at no stage did respondent Nos.2 to 6 ever claim that the property belonged to them and nor was the ownership ever in doubt. Therefore, as the articles belong to the petitioner, the impugned order to the extent that she has been ordered to keep the property intact be quashed and the property be released to the petitioner unconditionally.

6. On the other hand, the learned State counsel contends that the property is in the possession of the petitioner. However, as the appeals are still pending the same cannot be permitted to be disposed of as is being sought in the instant petition and therefore, the present petition is liable to be dismissed.

7. I have heard the learned counsel for the parties.

8. Admittedly, the property has been taken on Superdari by the petitioner. However, she cannot be permitted to dispose of the same as the articles are case property in view of the pendency of the appeals filed by respondent Nos.2 to 6. Even otherwise, an appeal is a continuation of the trial and therefore, in case the property is not available for viewing, if so required at the time of the hearing of the appeal, it may cause irreparable



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loss to either side.

9. In view of the aforementioned discussion, I find no merit in the present petition. Therefore, the same stands dismissed.

(JASJIT SINGH BEDI)
JUDGE

12.11.2025
JITESH

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>