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

**CRM-M-14101-2025 (O&M)  
Date of decision : 17.03.2025**

Naresh Kumar

.....Petitioner

Versus

State of Punjab and others

...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

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

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**MAHABIR SINGH SINDHU, J.**

Present petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for issuance of appropriate directions to respondent No.4 - Indusind Bank Limited not to interfere in the free plying of the vehicle of the petitioner bearing registration No.PB-04-V-9733.

(2) It is alleged that respondent No.4 is taking the possession of aforesaid vehicle by way of using force, which is not permissible in view of the judgments of Hon'ble the Supreme Court, titled as "**Manager, ICICI Bank Ltd. Versus Prakash Kaur & Ors.**", reported in **2007 (2) RCR (Criminal) 76** as well as "**ICICI Bank Versus Shanti Devi Sharma & Others**", reported in **2008(3) RCR (Criminal) 463**.

(3) In view of the above, present petition is disposed off with the observation that respondent No.4 may proceed against the petitioner



for recovery of dues and/or any other measure(s), but in accordance with law.

(4) Needless to say that in case occasion so arises, petitioner would be able to take recourse to the remedy available under law.

Pending application(s), if any, shall also stand disposed off.

17.03.2025  
*d.gulati*

(MAHABIR SINGH SINDHU)  
JUDGE

|                               |     |    |
|-------------------------------|-----|----|
| Whether speaking / reasoned : | Yes | No |
| Whether Reportable :          | Yes | No |