

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

259

2025:PHHC:133868



**CRM-M-37704-2020 (O&M)
Date of Decision: 24.09.2025.**

GURCHER SINGH

... Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

PRESENT: Mr. Deepak Chauhan, Advocate,
for the petitioner.

Mr. Vivek Chauhan, Addl. A.G. Haryana.

VINOD S. BHARDWAJ, J (ORAL)

CRM-27826-2021

Since the main case has itself come up for hearing, present application seeking preponement of date of hearing in the main case is disposed of as having been rendered infructuous.

Main case

Challenge in the present petition is to the order dated 15.10.2020 passed by the Chief Judicial Magistrate, Panipat and the order dated 29.10.2020 passed by the Additional Sessions Judge, Panipat, whereby release of motorcycle bearing registration No.HR-60-J-2265 on superdari to the petitioner has been declined.

Learned counsel appearing on behalf of the petitioner contends that the petitioner was declined release of the aforesaid

motorcycle during the pendency of the trial despite he being the registered owner of the same. He further submits that vide judgment dated 27.11.2024 passed by the Court of Judicial Magistrate First Class, Panipat, the accused already stands acquitted in case bearing FIR No.0409 dated 08.10.2020, under Section 61 of the Punjab Excise Act, 1914 registered at Police Station Madlauda, Panipat.

Since the accused already stands acquitted, the present petition is allowed. Order dated 15.10.2020 passed by the Chief Judicial Magistrate, Panipat and the order dated 29.10.2020 passed by the Additional Sessions Judge, Panipat, are set aside. Motorcycle bearing registration No.HR-60-J-2265 is ordered to be released to its registered owner in accordance with law.

Pending misc. application(s), if any, shall also stand(s) disposed of accordingly.

September 24, 2025.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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