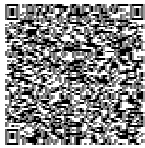


2026:PHHC:052970



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IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-14144-2023

Harbans Singh

....Petitioner

versus

State of Punjab and another

....Respondents

Date of decision: April 07, 2026

Date of Uploading: April 07, 2026

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Balram Prashar, Advocate for the petitioner.

Mr. Adhiraj Singh Thind, AAG Punjab.

None for respondent No.2.

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SUMEET GOEL, J. (ORAL)

The substantive prayer made in the petition in hand reads  
thus:

*“It is, therefore, respectfully prayed that the present petition may kindly be allowed and the order dated 06.06.2019 passed by the Ld. JMIC Ludhiana may kindly be set aside in the interest of justice.”*

2. Learned counsel for the petitioner, iterating the cause of the petitioner, has submitted that the FIR in question was registered against the petitioner, but he has been acquitted therein. Learned counsel has further submitted that it was the specific stand of the petitioner, in the statement made under Section 313 Cr. PC., before the concerned Court, that he is the owner of the machine in question. Learned counsel has

submitted that not only the Magisterial Court has acquitted the petitioner, but appeal there against, also stands dismissed by the concerned Court. Learned counsel has argued that the FIR-complainant has preferred the revision petition (bearing No.CRR-4864-2016) before this Court, but notice thereof has not even been issued yet. Learned counsel has submitted that the machine in question is lying in the police station concerned since 2009 and is gathering dust. Learned counsel has further submitted that no useful purpose would be served by keeping the said machine in the police station.

3. Upon being called upon, learned State counsel has filed status report by way of an affidavit dated 17.05.2023. Learned State counsel, while raising submissions in tandem with the said status report, has iterated for rejection of the petition in hand on the ground that the petitioner is not the owner of the machine in question.

4. Office note as also order dated 31.01.2024 reflect that respondent No.2 stands served, but none has caused appearance on behalf of the said respondent.

5. Keeping in view the entirety of the factual *milieu* of the case in hand; especially factum of machine in question lying in the police station concerned since 2009 and being put to no material use, the specific stand of the petitioner before the concerned Court that he is the owner of the machine in question, & having been acquitted, by the concerned Magisterial Court, of the charge(s) primarily of theft and the appeal there against having been dismissed by the concerned Court; this Court is inclined to allow the petition in hand.

6. Accordingly, the petition in hand is **allowed**; and the Incharge of the police station concerned is directed to release the machine in question in favour of the petitioner. Since revision petition preferred by the FIR-complainant is pending adjudication, it is further directed that machine in question be released to the petitioner on his furnishing personal bonds in the sum of ₹10,000/- before the concerned Magisterial Court.

7. Ordered accordingly.

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

(SUMEET GOEL)  
JUDGE

**April 07, 2026**

mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No