



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

211

CRR-830-2025 (O&M)
Date of Decision: 16.04.2026

Palak Petitioner
Versus
State of Punjab Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present Ms. Nancy Vashisth, Advocate
for the petitioner.

Mr. Akshay Kumar, A.A.G, Punjab.

ANOOP CHITKARA, J. (ORAL)

1. Aggrieved by the dismissal of the application for release of the vehicle, i.e., the Endeavor car, by the Judicial Magistrate First Class, Fatehgarh Sahib, and the dismissal of the criminal revision challenging the said order, the registered owner of the car has come up before this Court.
2. I have heard counsel for the petitioner and the State and gone through the petition, the reply, and its analysis, which would lead to the following outcome.
3. The registration certificate is attached as Annexure P-4, as per which, the vehicle bearing No. DL2C AX 6998, Engine No. HA74564 was transferred to Palak because it was sold to her. The name of the transferee is mentioned as Palak. The petitioner claims to be Palak, the registered owner of the vehicle in question.
4. The Transport Department of GNCT of Delhi had also issued a No Objection Certificate for the aforesaid vehicle, and in that certificate, the name of the transferee is mentioned as Palak.
5. As per the reply filed by the State, the present vehicle is involved in FIR No.55 dated 29.04.2025 registered under Section 304 (2) and other sections of BNS in Police Station, Fatehgarh Sahib. The complainant, Naseem Akhtar, informed that Jaswinder Kumar @ Jassa had induced him and his friend, Pranjal, to purchase a landed property situated at Fatehgarh Sahib. He had represented that the property belonged to an NRI and could be purchased at a lower rate with profit. Believing such words, the complainant and Pranjal arranged Rs. 45 lakhs each, totaling Rs. 90 lakhs, and visited the village near Saido Majra in District Fatehgarh Sahib on 12.04.2025 for the proposed transaction. At the spot, Jaswinder Kumar took hold of both bags containing cash.



6. In the meantime, a vehicle bearing police stickers arrived with people in uniform, who threatened the complainant and Pranjal and fled with Jaswinder Kumar and the cash. Thereafter, the complainant enquired into the matter and found that Jaswinder Kumar @ Jassa, in connivance with his accomplices, had committed dacoity of the said amount. Based on the above information, the present FIR under Sections 304(2), 204, 205, 308(7), 190, 191(3) BNS was registered against Jaswinder Kumar @ Jassa and unknown persons.

7. During the investigation, on 14.05.2025, complainant Naseem Akhtar recorded his supplementary statement that he had already given one statement and once again submitted that he and his friend Pranjal were robbed of Rs. 90 lakhs by Jaswinder Kumar @ Jassa and others. He also named the other accused to be Manjeet Singh, Sachin Pandit, Ranjit Singh, and one unknown person. The vehicle used by the said persons was an SUV bearing registration No.HR-01AT-0575.

8. Based on the investigation, the above-mentioned persons were arraigned as co-accused. On 14.05.2025, co-accused Manjeet Singh was arrested in the present case, and during interrogation conducted on 15.05.2025, he disclosed that on 12.04.2025, he, along with his friend Beant Singh, who is the husband of the present petitioner, had taken Beant Singh's XUV vehicle. Both of them first conducted reconnaissance of the location at village Saido Majra, and after assessing the situation, they conveyed all the relevant information to Jaswinder Kumar @ Jassa.

9. After that, Manjeet Singh and Beant Singh kept waiting for them. Manjeet Singh stated that he had switched off his mobile and that Beant Singh was with him at the time. After that, Jaswinder Kumar @ Jassa, Sachin Pandit, and Ranjit Singh arrived, accompanied by an individual in a police uniform who appeared to be an ASI. At that stage, Manjeet Singh and Beant Singh joined them, and all of them together used Beant Singh's XUV bearing registration No.CH-01-AT-0575 and robbed 90 lakhs from Naseem Akhtar and his friend.

10. After that, on 15.05.2025, Beant Singh was arrested. During the interrogation of Beant Singh on 16.05.2025, he disclosed that Jaswinder Kumar @ Jassa had given him Rs. 5 lakhs out of the robbed money, and from the said amount, he had purchased a Ford Endeavor car bearing registration No. DL-2CAX-6998 in the name of his wife, Palak, for about Rs. 3 lakhs. He further stated he has an affidavit in his possession regarding this vehicle. He stated that he had purchased the car on 21.04.2025 for approximately Rs. 3 lakhs, and that the remaining Rs. 2 lakhs was spent on expenses incurred at the time of his wife's delivery.

11. After that, the car in question, the Endeavor, was recovered from the accused Beant Singh. After the car was seized, the registered owner, Palak, filed an application for its release. By order dated 22.07.2025, the JMIC, Fatehgarh Sahib, dismissed the said application on the grounds that in the inquiry, it has come to light that Beant Singh had disclosed that the vehicle in question was purchased by him from the snatched money.

12. Feeling aggrieved, the petitioner had filed a criminal revision petition before Additional Sessions Judge Fatehgarh Sahib, who vide order dated 07.03.2026 dismissed the said criminal revision petition. The reasoning given by the learned Additional Sessions Judge



in dismissing the criminal revision was that the petitioner was directed to produce the original/previous owner of the vehicle in person, but the owner never appeared. However, one Advocate Pxx Kxx had filed a power of attorney on his behalf, but could not produce him in the Court.

13. Although, the previous owner had once appeared through video conference but he could not state anything about his own identity and about the vehicle and thus he stated that it was not a case for release of the vehicle and he did not find any illegality or perversity in the order passed by the JMIC and consequently learned Additional Sessions Judge, Fatehgarh Sahib dismissed the criminal revision petition.

14. Feeling aggrieved, the petitioner has come up before this Court. The stand of the petitioner, as mentioned in the petition, is that she claims to be the owner of the vehicle in question, and her name is duly reflected in the registration certificate of the vehicle.

15. Counsel appearing for the petitioner has argued that whatever information the police had obtained from this interrogation of the co-accused is hit by Sections 25 and 26 of the Indian Evidence Act, which corresponds to Section 23 of the BSA, and as such, no reliance can be made on that. She further submits that the vehicle would lose all value if it were confined in the police station, which is already filled with discarded and seized vehicles. She further submits that, if the vehicle in question is found to have been purchased with the money in question, they undertake to pay a sum of Rs. 3 lakhs, which is stated to be the value of the amount spent on the vehicle from the snatched money.

16. Ld. Counsel for the State could not dispute that the vehicle would lose value if it were parked at the police station, and also stated that there is no policy that, if the vehicle loses value, the State must compensate the registered owner for such loss.

17. An analysis of the above arguments would lead to the following outcome.

18. Even if it is hypothetically taken to be correct that the vehicle in question was purchased from the snatched amount i.e. Rs.3 lakhs, still the vehicle is not registered in the name of the accused, who allegedly snatched the amount along with his accomplices. The vehicle in question is registered not in the name of Beant Singh but in the name of his wife, Palak.

19. Regarding the financial capacity of the petitioner to purchase the said vehicle, it is always open for the appropriate agencies to inquire about the source of funding. In the present case, the amount involved is not massive but a sum of Rs. 3 lakhs. She says that out of the total amount paid, Rs. 9 lakhs was paid as mentioned in Annexure P-3, and Rs. 1 lakh was also paid through ATM.

20. Thus, even the cash transaction points out towards the value of the vehicle to be more than Rs. 3 lakhs. Now, the case for the prosecution is that Rs. 3 lakhs of the money spent on purchasing the vehicle was snatched. The same amount can always be recovered, provided it is established that the said amount was used to purchase the vehicle.

21. A perusal of the reply does not refer to any such evidence except the disclosure statement of the husband of the petitioner Palak, who was an accused, and his statement is



made to the police, which, on the face of it, cannot be proved, given the bar of Section 23 of BSA.

22. Both learned Judicial Magistrate as well as Additional Sessions Judge went on to believe the evidentiary value of the statement of the accused in custody, who stated that the vehicle in question was purchased with the snatched amount. Both the Courts below did not mention that the value of the vehicle Endeavor was not Rs.3 lakhs but was more and even if Rs.3 lakhs was spent from the snatched money, it is for the police to recover the amount of the vehicle through cogent legal evidence & merely on disclosure statement the evidence may not be sufficient to deprive the registered owner of the property, more so when the petitioner undertakes to give a bond of Rs.3 lakhs in case the said amount is found to have been utilized by her husband for the purchase of the vehicle to which she did not admit to have been received in her petition and even does not find mention in the impugned orders.

23. If a vehicle is kept in the police station, it is not going to achieve any purpose whatsoever. It is not a case where the State has taken steps to dispose of the vehicle to recover the money and show that recovered money as case property. If the vehicle is kept in its current condition, its value would depreciate each month and, over the years, even more.

24. Further, on the launch of the new models, the vehicle's value goes down drastically and after manufacturing year has crossed beyond the permissible limits where the vehicle can be plied in big cities, the value goes down drastically, if later on the prosecution fails to establish that Rs. 3 lakhs was snatched money, then the loss caused to the registered owner for keeping her vehicle in the police station cannot be compensated by the police in the absence of requisite rules.

25. Needless to say, the value of the vehicle in the present case was more than Rs. 3 lakhs, and there is silence that when Palak could have spent the remaining money, then how could she not spend the paltry amount of comparatively the 30% of the total amount of the vehicle. The vehicle in question is stated to be valued Rs. 9 lakhs plus Rs.1 lakh i.e. Rs.10 lakhs, out of which, only Rs. 3 lakhs is alleged to have been given by her husband from the snatched amount, it means that the remaining amount i.e. Rs.7 lakhs did not form part of the snatched money and it was her own money or money arranged by her.

26. Thus, in the entirety of facts and circumstances, no objective would be achieved by keeping the vehicle in the police station except that it would further clog the space of the police stations, which are already full of discarded case properties, including abandoned vehicles.

27. Consequently, the present petition is allowed, the vehicle in question be released to the petitioner on her furnishing a personal bond of Rs.3 lakhs, that in case it is found that the amount used to purchase the vehicle was from the snatched amount, then in such a situation she undertakes to pay Rs.3 lakhs to the State to be further returned to the lawful owners. In addition to a personal bond, she would also give a surety bond of Rs. 3 lakhs so that in case of her failure to pay, the surety shall be liable to pay the said amount.



28. After the bonds are furnished, the vehicle shall be released in favor of the registered owner, Palak.

(ANOOP CHITKARA)
JUDGE

16.04.2026
Jyoti-II

<i>Whether speaking/non-speaking:</i>	<i>Speaking</i>
<i>Whether reportable:</i>	<i>Yes.</i>