

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

2026:PHHC:073343



(147)

CRM-M-46254-2025

Decided on : 11.05.2026

Date of uploading: 11.05.2026

Sukhdeep Singh

.....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CORAM : HON'BLE MR.JUSTICE SUMEET GOEL

Present:- Mr. Vivek Singla, Advocate for the petitioner.

Mr. Adhiraj Singh, AAG, Punjab.

SUMEET GOEL, JUDGE (Oral)

1. The petition in hand has been preferred under Section 528 of BNSS with the following substantive prayer(s):-

“It is therefore, respectfully prayed that the present petition may kindly be allowed and order dated 12.03.2024 (Annexure P-2) passed by the Id. Court of Sh. Chetan Sharma Judicial Magistrate Ist Class, Barnala in case FIR No. 0188 dated 16.11.2023 u/s 279, 337, 338, 427 IPC and section 61/1/14 of Excise Act, 1914 registered at Police Station Dhanaula District Barnala (Annexure P-1) to the extent to which the condition of furnishing bank guarantee to the tune of Rs. 5,00,000/- has been imposed for releasing the vehicle bearing registration no. PB 13BP 5967 on sapurdari, may kindly be quashed, in the interest of Justice.

It is further prayed that order dated 30.11.2024 (Annexure P-4) passed by the Ld. Court of Sh. Kapil Dev Singla, Additional Sessions Judge, Barnala, vide which the revision petition dated 27.03.2024 (Annexure P-3) filed by the petitioner challenging the order dated 12.03.2024 passed by the Court of Sh. Chetan Sharma, Judicial Magistrate 1st Class, Barnala, may kindly be quashed, in the interest of Justice.

It is further prayed that the vehicle of the petitioner be released on sapurdari which is parked in police station Dhanaula, District Barnala in an open space and may outlive its life by substituting the condition of furnishing bank guarantee of Rs. 5 lacs with furnishing of personal bond with additional security bonds, Amritsar in the interest of justice.”

2. Learned counsel for the petitioner has pleaded that the petitioner has been falsely implicated into the FIR in question. Learned counsel for the petitioner, while iterating the cause of the petitioner written in the petition, has argued that the police has not raised any objection to the release of the vehicle of the petitioner, as it was the conceded case before the trial Court that the vehicle in question belong to the petitioner. Learned counsel has further submitted that the condition for releasing of the vehicle on *Sapurdari*, whereby the petitioner has been called upon to furnish bank guarantee of ₹5 lakhs, is on the higher side, since the vehicle in question is a Maruti Dezire Car, which is 10 years old.
3. *Per contra*, learned State counsel has submitted that the production of the vehicle in question before the concerned trial Court during the adjudicating proceedings is essential and, hence, the petition in hand is not onerous.
4. Having heard learned counsel for the rival parties and upon perusal of the record; especially keeping in view the factum of the vehicle in question being a Maruti Dezire Car, which is concededly more than 10 years old; this Court deems it appropriate to modify paragraph No.7 of the impugned order dated 12.03.2024 (Annexure P-2) to the extent that *‘the petitioner shall now be obliged to furnish bank guarantee of ₹50,000/-’*. Remaining conditions of the impugned order remain un-altered.
5. The petition in hand stands disposed of, with the aforesaid directions.

11.05.2026
Naveen

(SUMEET GOEL)
JUDGE

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