

CRM-M-72996-2025 (O&M)
Date of Decision: 10.02.2026MOHAMMAD SHAHNWAZ @ SHAHNWAZ AND ANOTHER
... PETITIONERS

VERSUS

STATE OF PUNJAB

... RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. Siddharth Gupta, Advocate for the petitioners.

Mr. Rohit Hans, D.A.G., Punjab.

H.S. GREWAL, J. (ORAL)

1. Present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) for quashing of order dated 27.11.2025 (Annexure P-9) passed by learned Judicial Magistrate First Class, Sangrur in case FIR No. 49, dated 27.04.2024 under Section 379 IPC and Section 61 of the Punjab Excise Act registered at Police Station Sadar Sangrur, District Sangrur whereby application dated 13.08.2025 (Annexure P-8) moved by Munshi Head Constable (MHC) of Police Station Sadar Sangrur was allowed.

2. Learned counsel for the petitioners submits that the learned trial Court directed the production of the case property through video conferencing. The petitioners are aggrieved by the said order on the ground that they being the accused persons, have a valuable right to effectively confront the prosecution witnesses, which includes examining the seals affixed on the case property. It is contended that such right cannot be meaningfully exercised unless the case property is physically produced

before the Court. It is further submitted that the MHC was not competent to file the said application and the same has been erroneously entertained and allowed by the learned trial Court.

3. Status report by way of affidavit of Sukhdev Singh, PPS, Deputy Superintendent of Police, Sub Division Sangrur on behalf of the respondent-State has been taken on record.

4. After going through the case file and keeping in view the aforesaid facts and circumstances, the impugned order dated 27.11.2025 (Annexure P-9) is hereby set aside.

5. The learned trial Court is directed to call for the case property and ensure that the same is placed in the judicial malkhana and permit the petitioners to exercise their right to examine the case property prior to the conclusion of arguments.

6. Disposed of.

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

10.02.2026

Janki

(H.S.GREWAL)
JUDGE

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