

Present:- Sh.Sukhpreet Singh APP for the State.

ORDER

1. Brief facts of the present application that in connection with FIR No. 149 dated 05.07.2024 registered under Sections 303(2) and 317(1) of the Bharatiya Nyaya Sanhita at Police Station Patran, District Patiala, one Hero Honda Splendor motorcycle bearing registration No. PB-64-9851 was taken into police possession during the course of investigation. The said motorcycle was recovered from the possession of Rajinder Singh, son of Namdhari Mal Singh, resident of Village Guru Teg Bahadur Colony, Patran, Police Station Patran, District Patiala, and is presently lying parked within the premises of Police Station Patran. It is further submitted that the investigation-related proceedings concerning the said motorcycle have been completed, and the vehicle is no longer required for the purpose of investigation. Therefore, its continued retention in the police station is not necessary. The case arising out of the aforesaid FIR is presently under investigation. It is further submitted that the premises of Police Station Patran are already heavily congested with a large number of seized vehicles, and there is no adequate or secure space available for their proper custody. Continued retention of the motorcycle at the police station is likely to result in its deterioration, damage, or loss. As per the Registration Certificate, the registered owner of the motorcycle is Gagandeep Garg, son of Roshan Garg, resident of Village Farid Nagar, Gali No. 2, Sangrur, Police Station Sangrur, District Sangrur. It is also pertinent to submit that in ***CWP-PIL No. 93 of 2023 titled Kanwar Pahul Singh v. State of Punjab and Others***, decided on 13.05.2025, the Hon'ble Punjab and Haryana High Court directed the Director General of Police, Punjab, to submit a status report within 90 days regarding the action taken with respect to seized vehicles lying at various police stations. The said directions were issued in view of the principles laid down by the Hon'ble Supreme Court in ***Sunderbhai Ambalal Desai v. State of Gujarat and***

General Insurance Council v. State of Andhra Pradesh, as well as in accordance with the Motor Vehicles (Registration and Functions of Vehicle Scrapping Facility) Rules, 2021. The Hon'ble Supreme Court has consistently held that seized vehicles should not remain parked indefinitely in police stations and that appropriate orders for their release on Superdari should be passed to prevent deterioration and loss of value.

2. Notice of the application was given to registered owner of the vehicle namely Gagandeep Garg son of Roshan Garg. However, notice to registered owner received back with the report he did not traced out on the address.

3. I have heard applicant as well as learned APP for the State and perused the record. Present application has been filed by the SHO concerned for passing order regarding release of vehicle seized in FIR no.149 dated 5.7.2024 under Section 303 (2) and offence under Section 317 BNS added later on. Applicant has not updated about the status of the FIR in which the said vehicle was taken into possession whether challan has been presented or not and if presented in which Court it is pending. However, it is mentioned that investigation of FIR is under investigation. Notice to registered owner Gagandeep Garg received back with report not traced. His better particular has not been provided. Thus in view of above said observation, present application stand disposed off with liberty to applicant to file afresh after updating the status of the case and after filing better particular of registered owner Gagandeep Garg. File be consigned to the record room.

Pronounced in open court:

Dated:30.07.2026

(Vinod Kumar, Stenographer-II)

**(Shaweta),
Judicial Magistrate Ist Class,
UID NO.PB-0621,
Samana**

Note:-Certified that order is directly dictated on computer