

SC No. 675/17
FIR No. 75/17
P.S. Crime Branch
State Vs. Brajesh Kumar & Anr.

01.12.2017 (02.12 p.m.)

Present: Sh. K.D. Pachauri, Ld. Addl. P.P. for State.

Applicant Brajesh Kumar in person, with Ld. Counsel, Sh. Jitender Kumar, qua his pending application dt. 17.11.2017 seeking release of vehicle bearing No. CH 01 AJ7337 on superdari on the ground that he purchased it from Mr. Happy Sharma in Month of September, 2017 ; that IO seized this vehicle during investigation ; that investigation of this case is complete and vehicle no more required for further investigation of this case.

IO SI Vinod Kumar also present at this time and filed report in rebuttal to this application and mainly on the grounds that this vehicle was prima facie purchased by money procured due to illegal sale of contraband ; that source of purchasing of this vehicle still yet to be verified ; that there are chances of this vehicle to be used again in commission of crime, if this vehicle is released on superdari at this stage.

Heard and perused the file for this purpose.

As revealed from judicial file, arguments on charge not yet heard in this case. In the considered view of this Court, the case being at initial stage, the further proceedings of this case as per law are likely to be affected adversely, if this vehicle allowed to be released on superdari at this stage.

For these reasons, I do not find any merits in this application at this stage and it is hereby dismissed at this stage. However, the applicant would be at liberty to file such application in future, if so advised, after arguments on charge are complete in this matter from both sides, and such application would be decided on merits afresh, if so filed in future. Hence, the application under discussion decided in view of above order. Anything written here need not be treated to affect fair trial of this case in future.

Now to come up on due date i.e., 05.01.2018 for the purpose already fixed.

(Dr. SHAHABUDDIN)
ASJ/Special Judge (NDPS)
(West) Delhi/01.12.2017