

HRRE010049802026



Presented on : 01-06-2026
Registered on : 01-06-2026
Decided on : 21-07-2026
Duration : 0 years, 1 months, 20 days

IN THE COURT OF SESSIONS JUDGE AT REWARI
(PRESIDED OVER BY GURVINDER SINGH WADHWA)

CRM/266/2026

Kuldeep S/o Sh. Dharampal, resident of Village Asalwas, Tehsil Bawal,
District Rewari.

.....Applicant

VERSUS

1. Mining and Geology Department through Mining Officer, Rewari
etc.
2. State of Haryana.

.....Respondents

Argued by: Sh. Nanak Chand, Advocate for the applicant along with
Clerk Sh. Sachin Kumar.
Sh. N.K. Bukkal, Public Prosecutor for respondents.

ORDER:

The applicant Kuldeep alleging himself to be the registered owner of the vehicle i.e. tractor-trolley bearing registration No.HR-81D-5955 has sought the release of the vehicle on superdari alleging that the officials of the Mining Department has wrongly impounded the vehicle in question on 05.03.2026 on Highway No.71. The vehicle is parked in M/s Yashika Parking near Kasola Chowk, Rewari. At the time of seizing of the vehicle, the applicant was having all the relevant documents of the said

vehicle but the officials of Mining Department wrongly challaned/impounded the vehicle. The applicant is the registered owner of the above said tractor-trolley and was using his tractor-trolley for taking ordinary sand for his personal use. The family of the applicant is fully dependent upon the income from the above said tractor-trolley as the applicant is farmer by profession. At the time of seizing of the vehicle, the applicant was coming from his fields. According to the seizure memo, the vehicle of the applicant was having limited weight, so there is no violation of the terms and conditions of Rules 102/104 Mining Act. The applicant has suffered a heavy financial loss. From the date of seizing the vehicle, the vehicle is parked in a private parking namely M/s Yashika Parking Near Kasola Chowk, Rewari and the owner of the parking is charging the parking charge on higher side. Necessary direction be issued to the parking owner to charge the parking charges as per Collector rate. The tyres and tubes and other parts of the vehicle will damage due to its parking in open space. The applicant undertakes that he will not change the colour, chassis number and engine number of the vehicle and will not alienate the above said vehicle till disposal of the case. The applicant shall abide by the conditions of superdari imposed by the court. The applicant has filed an appeal No.A260000979 before Director General, Department of Mines and Geology, Haryana, Panchkula for releasing the said vehicle but the appellate authority/Mining Department without hearing the

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applicant had dismissed the appeal vide order bearing memo No.3073 dated 12.05.2026.

2. The respondent No.2 State of Haryana earlier filed reply to the effect that no case has been registered at PS Haryana State Enforcement Bureau, Rewari regarding the offence committed by the offenders of vehicle bearing registration No.HR-81D-5955. Prayer has been made for dismissal of the superdari application of the vehicle bearing registration No.HR-81D-5955.

3. Despite several effective opportunities, the respondent No.1 failed to file reply to the application.

4. At this stage, a copy of FIR No.922 dated 29.06.2026 under Sections 21(1) Mines and Minerals (Development and Regulation) Act, 1957 and 303(2) BNS, PS HSEnB, Rewari has been received.

5. Vide statement dated 21.07.2026 recorded through video conferencing system, ASI Jogender stated that the accused have joined the investigation in the present case as per the guidelines issued by the Hon'ble Supreme Court of India in case titled as Arnesh Kumar Vs. State of Bihar and another, (2014)8, Supreme Court Cases 273 and that now the accused are on police bail.

It is also stated that the tractor-trolley involved in the present case is bearing registration No.HR-81D-5955 but inadvertently, the registration number of the tractor-trolley has been mentioned in the FIR as HR-81B-5955. So, it is requested that the registration number of the

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tractor-trolley in question may please be read as HR-81D-5955 in place of registration No.HR-81B-5955.

6. I have heard the learned counsel for the applicant as well as the learned Public Prosecutor for the respondents.

7. Since there are many judgments of our Hon'ble High Court as well as Hon'ble Supreme Court that the vehicle be released on superdari as there is no proper place to park the vehicle in the police premises and its value will decrease in the sunlight and rain etc., therefore, in view of this, the vehicle bearing registration No.HR-81D-5955 is ordered to be released on superdari to its registered owner, subject to furnishing superdaginama in the sum of ₹7,00,000/- with one surety in the like amount to the satisfaction of this Court/Duty Judge, Rewari. The superdar will not alienate the vehicle and will produce it in the court as and when ordered. The registered owner is directed to produce original RC of the vehicle on the case file. Papers be tagged with the FIR.

Pronounced in open court:
21.07.2026

(Rajkumar, Steno Gr.-II)

(G.S. Wadhwa)
Sessions Judge, Rewari
(UID No.HR0085)

Note: All the pages have been signed by me.

(G.S. Wadhwa)
Sessions Judge, Rewari
(UID No.HR0085)