

Pooja Bansal Vs. State

Present: Sh. Ashok Rohilla, Additional PP for the State
Sh. Maheep Jain, Advocate for Applicant/accused

Heard on application for release of vehicle on superdari. Reply of State perused. As per reply filed by State, it has been stated that the ownership of car was obtained from RLA Sector 17, Chandigarh in which the car was found registered on the name of Nikhs r/o SCO No. 51, 3rd floor, Tribune Colony, Rajpura Khurd, Chandigarh. It has been further submitted that the I-20 car has been taken into police possession through seizure memo and same was used in drug trafficking. As per the verification of car the applicant is not actual owner of the car. There is apprehension that if the I-20 car in question is released on superdari, same should be involved in the drug trafficking again. On this ground, a prayer has been made to that car in question may not be released on superdari to the applicant/accused.

Perusal of the file shows that the challan has already been presented in this case and investigation is complete. The ground that there is apprehension that if the I-20 car in question is released on superdari, same should be involved in the drug trafficking again is not well founded. The applicant Pooja Bansal is proprietor of Nikhs r/o SCO No. 51, 3rd floor, Tribune Colony, Rajpura Khurd, Chandigarh, in whose name the vehicle in question is registered.

Ld. Counsel for applicant/accused relief upon the case law *“Manisha Vs. State of Haryana in CRR-570-2025 decided on 20th March 2025 vide which Hon’ble Punjab and Haryana High Court released the Hero Splendor, from which 1kg 50 gram Charas was recovered on the ground that the question of confiscation of the vehicle will be considered at the end of the trial. The vehicle is standing in police station and would be damaged if it is allowed to remain in the police station. The petitioner is registered owner of the vehicle.”*

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The above mentioned case law is applicable in the present application also. The condition of the vehicle in question will only get deteriorated if the same will be kept in the police station till the conclusion of the trial. Keeping in view the above mentioned facts and circumstances and in view of the case cited above, the application in hand is allowed.

The vehicle in question is ordered to be released on superdari to the applicant on furnishing superdari bonds in the sum of Rs.1,00,000/- with one surety in the like amount with the following conditions:-

1. That the applicant shall produce the vehicle in question on each and every date of hearing without any notice.
2. The applicant shall have not sell the in question.
3. The applicant will not change the colour, nature of the said articles in question.

Application stands disposed of. Ahlmad is directed to tag this application with the main case.

Manju (Stenographer-II)

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