

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

2025.PHHC:131420



(262)

CRM-M-28041-2025

Decided on : 22.09.2025

JAI MATA DURGA TRANSPORT CO.

.....PETITIONER(S)

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENT(S)

CORAM : HON'BLE MR.JUSTICE SUMEET GOEL

Present:- Mr. Onkar Singh Batalvi, Advocate and
Mr. Damanjeet Singh Batalvi, Advocate for the petitioners,

Mr. Baljinder Singh Sra, Addl. AG, Punjab.

Mr. Divyam Suri, Advocate for
Mr. Sandeep Suri, Advocate for respondent No.5.

SUMEET GOEL, JUDGE (Oral)

1. The petition in hand has been preferred under Section 528 of BNSS, 2023 with the following substantive prayer(s):-

“It is, therefore, respectfully prayed that this petition may kindly be allowed and the appropriate direction may kindly be issued to the respondent No.5 not to interfere in the free plying of the vehicle of the petitioner bearing registration No. PB65BB8345 in view of the judgment of Hon'ble Supreme Court of India reported in RCR Criminal 2007 (2) page 76 titled as "ICICI Bank Ltd. Vs Parkash Kaur and others" and Judgment of the Hon'ble Supreme Court of India reported in SLP (Crl.) No. 4935 of 2006 decided on 15.5.2008 in case titled as Bank Vs. Shanti Devi Sharma & Ors", keeping in "ICICI view the facts and circumstances of the case; in the interest of justice.”

2. Learned counsel for the petitioner after arguing for sometime has limited his prayer by stating that he would be satisfied, for the *nonce*, if a direction is issued to respondent No.3 (Senior Superintendent of Police, Rupnagar) to consider and take a conscious decision on the representation

dated 16.04.2025 made by the petitioner (copy whereof has been annexed as Annexure P-3 with the petition in hand) in a time-bound manner.

3. Having heard learned counsel for the rival party(s) and upon perusal of the paper-book, this Court deems it appropriate to dispose of the petition in hand as follows:

(i) Respondent No.3 (Senior Superintendent of Police, Rupnagar) is mandated to look into the representation dated 16.04.2025 (Annexure P-3) moved by the petitioner, objectively consider the grievance(s) raised therein after affording opportunity to all concerned & take ratiocinated decision thereupon within a period of 15 days from today. Said decision be conveyed to the petitioner within 7 days thereafter. It is expected that the said officer, while deciding the said representation, shall take into consideration the *dicta* of the judgment of the Hon'ble Supreme Court passed in ***ICICI Bank Ltd. Vs Parkash Kaur and others (JT-2007(4) SC 39)*** and ***Citicorp Maruti Finance Ltd. v/s S Vijayalakshmi 2012(1) SCC 1.***

(ii) No order as to costs.

22.09.2025

jatn

(SUMEET GOEL)
JUDGE

Whether speaking/reasoned :
Whether Reportable :

Yes/No
Yes/No