



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

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**CRM-M-21867-2024
Date of decision: 15.09.2025**

YASH VARDHAN TRIPATHIPetitioner

VERSUS

STATE OF PUNJAB AND OTHERSRespondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: - Mr. Deepanshu Mehta, Advocate
for the petitioner.

Mr. I.P.S Sabharwal, DAG, Punjab.

Mr. Pardeep Panwar, Advocate
for respondents No.3 to 5.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed seeking quashing/modification of the order dated 11.03.2024 passed by the Judicial Magistrate 1st Class Dera Bassi whereby despite allowing the Superdari application of the petitioner, a condition has been imposed that the petitioner must not only submits a heavy Sapurdarinama but also a surety for a sum of Rs. 2 lakhs for release of the seized currency notes.

2. Learned Counsel appearing on behalf of the petitioner contends that the petitioner had got registered case FIR No. 26 dated 04.03.2023

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under Sections 420, 465, 467, 468 and 120-B of the Indian Penal Code, 1860 registered at Police Station Lalru, District SAS Nagar Mohali against the private respondents. The accused were thereafter taken in custody and during the police remand, an amount of Rs. 1.5 lakhs was recovered from the accused which was taken into police possession by a seizure memo. He contends that later a compromise was entered into between the petitioner and all the accused persons on the basis whereof a quashing petition has been filed before this Court. He contends that as per the settlement executed between the parties, the seized amount was to be released to the petitioner-complainant herein. It is submitted that a quashing petition on the basis of compromise was filed by the parties wherein the statement was recorded and vide order dated 08.01.2024, the FIR alongwith all consequential proceedings arising therefrom were quashed in CRM-M-23899 -2023 titled "Pawan Sharma and others versus State of Punjab and another". He contends that the petitioner had thereafter moved an application for release of the recovered amount in his favour, however, the trial Court, while allowing the release of the seized currency imposed a condition on the petitioner to deposit a Sapurdarinama of Rs. 2 lakhs and one surety of Rs. 2 lakhs. Aggrieved of the said conditions, the present petition has been filed.

3. Counsel contends that once the matter has already been resolved between the parties and the respondent-accused persons have no objection to release of the said amount in favour of the petitioner and no FIR or any other proceeding is pending, imposition of such condition is not only very onerous but also defeats the very object of release of the said money.

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4. Counsel appearing on behalf of the respondent-State has no serious objection.

5. Counsel for the private respondents/accused persons also contends that the settlement had been effected between the parties and they have no objection to the release of the sum of Rs. 1.50 lakhs (currency notes) recovered on the disclosure of the accused in the aforesaid mentioned case, in favour of the petitioner-complainant herein.

6. In view of the aforesaid, the present petition is allowed. The order dated 11.03.2024 passed by the Judicial Magistrate, First Class, Derabassi is modified. It is directed that the seized currency notes of Rs. 1.50 lakhs be released in favour of the petitioner herein in view of the settlement arrived at amongst the parties as per law without insisting for any surety or Sapurdarinama.

SEPTEMBER 15, 2025*Vishal Sharma***(VINOD S. BHARDWAJ)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No