

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

**CRM-M-12926-2022**

Date of decision: 29.08.2025

Sanjeev Kumar @ Babbu

..... Petitioner

Versus

State of Punjab and Another

.....Respondents

**CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL**

Present:     Mr. G.B.S. Dhillon, Advocate for petitioner.

                  Mr. Hardeep Singh Wadhwa, DAG, Punjab.

                  Mr. G.S. Sandhu, Advocate for respondent No.2.

**SHALINI SINGH NAGPAL J.**

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1.           The prayer in the petition under Section 482 Cr.P.C. is for quashing order dated 15.02.2021 of learned SDJM, Phillaur, vide which applications of the petitioner and respondent No.2 for return of passport and other articles were dismissed and order dated 10.02.2022 of learned Additional Sessions Judge, Jalandhar, vide which criminal revision against that order was dismissed.

2.           Petitioner who faced trial in case titled 'State Vs. Sanjeev Kumar @ Babbu' bearing FIR No.172 dated 22.09.2009 under Sections 406, 498-A of IPC, PS Phillaur, District Jalandhar, was acquitted vide judgment dated 25.01.2019 passed by learned Sub Divisional Judicial Magistrate, Phillaur, District Jalandhar.

3.           Appeal under Section 372 Cr.P.C. against the judgment of acquittal, filed by Seema Rani, was also dismissed by learned Additional Sessions Judge, Jalandhar vide judgment dated 06.01.2020.

4.           Seema Rani then preferred a revision petition bearing CRR



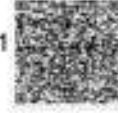
No.1270 of 2021 before this Court which has since been decided on 16.07.2024. The order of acquittal of the first Court has not been disturbed.

5. Vide impugned order dated 15.02.2021, two applications were decided by learned SDJM, Phillaur. One application was filed by petitioner-Sanjeev Kumar alias Babbu for return of original passport bearing No.J3174456, for return of original FDR of Rs.55,000/- dated 08.10.2009 PNB, Phillaur and the articles which were taken into possession during investigation of the case. Second application was filed by Seema Rani through her attorney, for returning gold ornaments i.e. one karra, four rings, two pair ear rings, bank draft No.SXE370962 amounting to Rs.55,000/- alleging that the articles were istridhan.

6. Learned SDJM, Phillaur declined to release passport of the petitioner for the reason that revision petition was then pending before this Court. The revision petition having been determined, there is no impediment in release of passport. Therefore, the Court would now release passport to the petitioner on requisite application being moved.

7. Another prayer of the petitioner was for release of F.D.R. of Rs.55,000/-. It has been recorded by learned SDJM, Phillaur in the impugned order that there was no such F.D.R. in the original record, rather a Bank draft bearing No. SXE370962 of PNB, Phillaur was lying in a sealed envelope. It has also been observed by learned Additional Sessions Judge, Jalandhar in his order dated 10.02.2022 that the bank draft was in the name of Seema Rani. This factual position has not been disputed.

8. The third prayer of the petitioner and that of Seema Rani was for release of gold ornaments taken into possession by police during investigation of the case. Vide impugned order, the prayer was declined due to pending revision petition before this Court. The revision petition having



been decided, the gold ornaments also ought to be released to the rightful owner.

9. When the trial before a criminal Court is concluded, the Court is required to pass appropriate orders for disposal of the properties/documents in the case. Learned SDJM, Phillaur, while acquitting the petitioner, on 25.01.2019 ordered for return of the case property to its rightful owner after the result of appeal or revision, if any or expiry of time prescribed for the purpose of filing the same, as the case may be. The orders under challenge were passed when the revision before this Court was yet pending. As such, there is no illegality or perversity in the orders.

10. Be that as it may, the proper course for petitioner now is to approach the Court of learned SDJM, Phillaur and move appropriate application for return of passport and other articles taken into possession during investigation of the case which learned SDJM, Phillaur shall decide in accordance with law, after hearing rival claimants.

11. The petition stands disposed of.

**(SHALINI SINGH NAGPAL)  
JUDGE**

**29.08.2025**  
Sumit Singla

Whether Speaking/Reasoned : Yes/No  
Whether Reportable : Yes/No