



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-23392-2025
DECIDED ON: 02.05.2025

DARSHAN SINGH

.....PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Amtiaz Sandhu, Advocate for
Mr. Karan Bhardwaj, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 528 of BNSS, 2023 with a prayer for directing the respondent no. 1 to 3 that they shall take necessary steps to the effect that there is no obstruction in plying of the vehicle of the petitioner and to take appropriate legal action against respondent no. 4 to 5 who are trying and making an attempt to forcibly take away the vehicle of the petitioner bearing registration number (HR 62 A 0391) with the help of recovery agents and henchmen while it was running on road, as the petitioner has already paid substantial loan amount and this conduct of respondent no. 4 to 5 is against the mandate of constitutional bench of Hon'ble Apex court in "***Citicorp Maruti Finance Ltd. v/s S Vijayalakshmi 2012(1) SCC 1***" and in "***ICICI Bank Ltd. Vs Parkash Kaur and others (JT-2007(4) SC 39)***, and by this Hon'ble Court in ***Narinder Kumar Singla Vs State of Punjab (2006 (3) RCR 890)***, ***M/s Sundaram Finance Ltd v/s Raj Kumar & others 2011 (4) RCR (Crl) 890***.

Learned counsel for the petitioner would submit that the petitioner is ready and willing to deposit the outstanding amount as per the accounts of respondent.

Notice of motion.

Mr. Chetan Sharma, DAG Haryana, accepts notice on behalf of respondent-State.

Learned counsel for the petitioner undertakes before this Court that outstanding amount would be deposited within two weeks from today. In case of doing so, the vehicle in question shall be released forthwith. At the same time the accounts be settled if the assertions of the petitioner are found to be true qua the due amount.

The Superintendent of Police, Rohtak is directed to get the vehicle released subject to compliance with the undertaking and willingness shown before this Court at the behest of petitioner.

The petition stands disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

02.05.2025

Meenu

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*