



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

122

CRM-M-23318-2025 (O&M)

Date of decision: 01.05.2025

Sanjeev Kumar

.....Petitioner

Versus

Kotak Mahindra Bank through its M.D and Ors.

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Bharat Bhandari, Advocate for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

Present petition has been filed under Section 528 of BNSS read with all other enabling provisions praying for issuance of appropriate directions to respondent Nos.1 to 4 to release the vehicle of the petitioner bearing Registration No.CH0-01C-CA-2327, make Maruti Suzuki XL6 as the same has been illegally seized by recovery agents and hencemen of respondent Nos.1 to 4 with a further direction to respondent No.5 to take appropriate action on complaint dated 04.04.2025 of the petitioner and get an FIR registered for the criminal offences committed by officials/employees/recovery agents of respondent Nos.1 to 4 for committing criminal intimidation, theft and robbery amongst others and to award compensation to the petitioner.

Learned counsel for the petitioner would submit that the petitioner has paid 30 instalments amounting to Rs.5,82,600/- which amounts to approximately half of the loan amount obtained. He has made every attempt to regularly pay the instalments. Despite certain inadvertent defaults, the loan account of the petitioner has never been declared as a non-performing asset by the Bank and that no notice of default has ever been issued to him at any point of



time. He further submits that the petitioner is ready and willing to deposit the said amount without any objection or reason.

Notice of motion.

Mr. Jastej Singh, Addl.AG Punjab, accepts notice on behalf of respondent/State.

Learned counsel for the petitioner undertakes before this Court that the defaulted amount would be deposited within one week from today. In case of doing so, the vehicle in question shall be released forthwith within a period of one week. At the same time the accounts be settled if the assertions of the petitioner are found to be true qua the due amount. The Senior Superintendent of Police, Karnal 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**

01.05.2025

manoj

1. Whether speaking/ reasoned : Yes /No
2. Whether reportable : Yes /No