

गौरव गुप्ता  
GAURAV GUPTA  
अतिरिक्त सत्र न्यायाधीश विशेष न्यायक्षेत्र (एन डी पीएस), 17  
A6J/Special Judge (NDPS) Act, South District  
दक्षिण जिला  
South District  
कमरा नं. 505, पौधवा तल  
Room No. 505, Fifth Floor  
साकेत न्यायालय परिसर  
Saket Court Complex  
नई दिल्ली-110017  
New Delhi-110017

State VS. Sumit and Ors.  
FIR No.32/2023  
PS-Ambedkar Nagar

15.01.2024

This is an application seeking release of the seized vehicle bearing registration no. UP14CF5803 on superdari moved on behalf of accused Arvind.

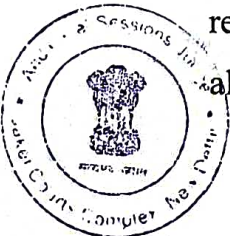
Present: Sh. Ashok Kumar, Ld. Addl. PP for the State.  
Ms. Manvi Gupta, Ld. counsel for  
applicant/accused Arvind.

Arguments heard.

It has been submitted that the applicant is the registered owner of the above said vehicle which was seized during the course of investigation and is presently lying in Malkhana at police station in the present FIR. Copy of the RC has been annexed with the application. The investigation in the matter is complete. It is therefore, requested that the said vehicle be released on superdari.

IO vide his reply has objected to the release of the aforesaid vehicle on the ground that the said vehicle was used in the transport of the contraband substance and the accused may further use for the purpose of the same.

The investigation in the matter is complete and the trial is yet to be concluded. Relying upon the judgment in *Gurvinder Singh Vs. State of Punjab, 2016 (4) RCR Criminal 492*, wherein it was held that there is no embargo to the interim release of vehicle pending trial under the NDPS Act by placing reliance upon Section 451 Cr.P.C., the present application is allowed.



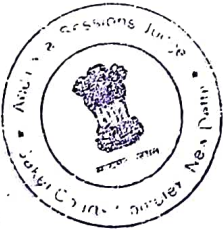
The vehicle bearing number **UP14CF5803** be released to the applicant on furnishing superdari as per the valuation of the vehicle as conducted by the SHO/IO concerned to the following conditions:

- (i) That the applicant shall not in any manner make any material changes / alterations to the said vehicle.
- (ii) That the applicant shall not sell, transfer or dispose of the vehicle without prior permission of the court.
- (iii) That the applicant shall produce the vehicle before the court as and when so directed by the court.
- (iv) That the decision as to final custody of the vehicle shall be subject to the final outcome and decision of the present case.

SHO/IO concerned to get the valuation of the aforesaid vehicle conducted for release of vehicle on superdari. The photographs with CD of the vehicle chasis no. /engine no. be taken prior to its release at the cost of the applicant. IO shall prepare detailed panchanama in this regard.

Application stands disposed of accordingly.

Copy of the order be given dasti.



आदेश . . .  
(Gaurav Gupta)  
AS/J Special Judge NDPS Act  
Spl. Judge-NDPS/ASJ (South)  
Saket Courts, New Delhi/15.01.2024  
कमरा नं 305, पांचवीं तल  
Room No 305, Fifth Floor  
साकेत न्यायालय परिसर नई दिल्ली  
Saket Court Complex, New Delhi-110017