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

**Date of decision: August 11, 2016
CRM-M-17664 of 2016**

Surender @ Vikram

.....Petitioner

Versus

State of Haryana

.....Respondent

CRM-M-17676 of 2016

Santra Devi @ Chena

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. Jagdish Tanwar, Advocate
for the petitioner.

Ms. Tanushree Gupta, DAG Haryana.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

In FIR No.338 dated 28.06.2011, under Sections 419, 420, 467, 468, 120-B of Indian Penal Code, 1860, registered at Police Station Civil Lines Rohtak, petitioners were arrested and are in Jail since 11.02.2016.

Learned State counsel opposed the petition on the ground that the petitioners were declared proclaimed offenders.

Admittedly, challan has been filed in the competent Court, i.e. the Magistrate. The case is triable by the Magistrate Court.

Petitioners have spent 6 months in Jail and there is no criminal record

against them. In that view of the matter, further detention of the petitioners would not warranted since the trial has not yet commenced.

In that view of the matter, these petitions are allowed. Petitioners be released on bail subject to the satisfaction of the learned Chief Judicial Magistrate concerned. Petitioners shall not tamper with the prosecution evidence.

(A.B. CHAUDHARI)
JUDGE

August 11, 2016

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No