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

CRM-M-23156 of 2016

Date of decision: August 19, 2016

Vinod Kumar Sharma

.....Petitioner

Versus

State of Punjab

.....Respondent

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

Present: Mr. A.S. Sivia, Advocate for the petitioner.

Mr. Shilesh Gupta, Addl. AG Punjab.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

In FIR No.75 dated 07.10.2014, under Sections 406, 420 of Indian Penal Code, 1860, registered at Police Station Kabarwala, District Sri Muktsar Sahib, petitioner was arrested on 24.04.2016 and is in jail since then.

Admittedly, challan has been filed before the competent Court. Offences are triable by the Magistrate. Petitioner detention in view of the above is not necessary. It is true that the petitioner has indulged in a serious offence of big fraud. Nevertheless, the liberty to the petitioner cannot be curtailed till the trial is completed and particularly, when the case is triable by the Magistrate. Petitioner has been in jail since 24.04.2016.

In that view of the matter, this petition is allowed. Petitioner be released on bail subject to the satisfaction of the learned Chief Judicial Magistrate/trial Court concerned. Petitioner shall not tamper with the prosecution evidence.

**(A.B. CHAUDHARI)
JUDGE**

August 19, 2016

mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No