

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-25731-2016

Date of decision: October 27, 2016.

Raj Kumar

... **Petitioner**

v.

State of Haryana

... **Respondent**

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

Present: Shri Ashwani Nagra, Advocate for the petitioner.

Ms. Tanushreet Gupta, Deputy Advocate General, Haryana.

A.B. Chaudhari, J. (Oral):

Heard learned Counsel for the rival parties. In FIR No.218 dated 20.4.2015, under Sections 406, 420, 467, 468, 471, 472, 506, 120-B IPC, PS Sadar Karnal, the petitioner is facing trial. He was arrested on 21.7.2015 and is in jail since then. Challan has been filed and some of the witnesses have also been examined. The offences are triable by Magistrate. Learned Counsel for the petitioner states that now an application under Section 311 Cr.P.C. has been filed and is pending consideration. Be that as it may, the offences are triable by Magistrate and the trial has not yet started though some of the witnesses have been examined, there is no point in continuing the detention of the petitioner as an under-trial as no other offence is reported against. In that view of the matter, the petition is allowed and the petitioner is ordered to be released on bail to the satisfaction of the trial court/CJM/Duty Magistrate concerned.

[**A.B. Chaudhari**]
Judge

October 27, 2016.

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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No