

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-43293 of 2016

Date of decision: December 12, 2016

Balwinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

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

Present: Mr. Vishavjit S. Virk, Advocate
for the petitioner.

Mr. Shailesh Gupta, AAG, Punjab.

A.B. CHAUDHARI, J.(ORAL).

Heard learned counsel for the rival parties.

In FIR No.75 dated 08.10.2014, under Sections 406, 420 of Indian Penal Code, 1860, registered at Police Station Kabarwala, District Sri Muktsar Sahib, petitioner was arrested on 18.09.2016 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 18.09.2016.

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.

December 12, 2016

Poonam (II)

(A.B. CHAUDHARI)
JUDGE

Whether speaking/reasoned: Yes No

Whether Reportable: Yes No.