

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

(226)

CRR-701 2018 (O&M)

ASHOK KUMAR VS STATE OF HARYANA

CORAM : HON'BLE MR JUSTICE RAJBIR SEHRAWAT.

Present : - Mr. P.S.Ahluwalia, Advocate for the applicant-petitioner.
 Mr. Vikas Malik, DAG, Haryana.

RAJBIR SEHRAWAT, J (ORAL)

Counsel for the applicant-petitioner submits that his conviction is totally unsubstantiated as per the requirement of law. It is submitted that both the Courts below have concurrently recorded that the original documents of entrustment of the material to the petitioner has not been brought on record and despite that the petitioner has been held guilty. Counsel further submits that the petitioner has been in custody for the last about three months.

Counsel for the State has placed on record the custody certificate, which shows that the applicant-petitioner has undergone actual imprisonment for two months and twenty nine days out of sentence of three years. However, the counsel further submits that the applicant-petitioner has been found guilty by both the Courts below.

However, in view of the submissions made by learned counsel for the applicant-petitioner conviction of the applicant-petitioner has become a moot point.

The revision is admitted.

(2)

In the meantime sentence of the applicant-petitioner shall remain suspended during the pendency of the revision petition. Let he be released on bail subject to furnishing bail bonds/surety to the satisfaction of the CJM, Narnaul/Duty Magistrate.

(RAJBIR SEHRAWAT)
JUDGE

July 02, 2018

SV

Whether reasoned/speaking ? YES/NO

Whether referred to reporter ? YES/NO