ITEM NO.21 COURT NO.2 SECTION IIB

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).3892/2012
(From the judgement and order dated 17/02/2012 in CRLM No.67162/2011 of the HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

ASI MALKIAT SINGH & ANR Petitioner(s)
VERSUS
DIRECTOR,CBI-SIU/XV CHANDIGARH Respondent(s)

(With office report)

Date: 21/05/2012 This Petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DEEPAK VERMA
HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

For Petitioner(s) Mr. Ansar Ahmad Chaudhary,Adv.

For Respondent(s) Mr. Mohan Jain, A.S.G.
Mr. S. Wasim A. Quadri, Adv.
Mr. D.K. Thakur, Adv.
Mr. Zaid Ali & Mr. Tamim Quadri, Advs.
Mr. A.K. Sharma, Adv.

UPON hearing counsel the Court made the following

O R D E R

Both the petitioners stand convicted under Section 120B, Indian Penal Code (for short, I.P.C.) with sentence of nine months and fine of Rs.1000/-, under Section 342, IPC with sentence of nine months and fine of Rs.1000/- and under Section 346, IPC with sentence of nine months and fine of Rs.1000/-. In default of payment of fine, rigorous imprisonment for a period of two months was also ordered by the Trial Court.

So far petitioners are stated to have already undergone jail sentence of five months and 14 days and Petitioner No.1 was Assistant Sub-Inspector of Police on the relevant date.

Looking to the facts and features of the case, we direct that the jail sentence of Petitioners -

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ASI Malkiat Singh No.129 KHM and Head Constable Harmesh Lal shall remain suspended till the pendency of petitioners' Criminal Revision No.3060(O&M) of 2011 before the learned Single Judge of the High Court of Punjab and Haryana High Court at Chandigarh and they shall be released on interim bail subject to their furnishing separate bail bond for a sum of Rs.25,000/- and a solvent surety of the like amount to the satisfaction of the Trial Court.

With the aforesaid directions, special leave petition stands disposed of.

(A.D. Sharma)
Court Master

(S.S.R. Krishna)
Court Master