

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

CRM-M-37704-2016 (O&M)
Date of decision : 11.11.2016

Amit Arora

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Bhisham Kumar and Mr. Vikas Bali, Advocates,
for the petitioner.

Mr. Mehardeep Singh, Addl.A.G., Punjab,
assisted by ASI Balbir Singh.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking regular bail in FIR No.27 dated 04.02.2016, registered under Sections 420, 417, 177, 193 and 120-B of the Indian Penal Code and Section 25 of the Arms Act, at P.S. Jodhewal, Ludhiana.

It is contended that the present FIR was registered on the statement of the petitioner. Thereafter, the police did not proceed with the investigation of the case for about four months and on 22.06.2016, arrested the petitioner on the volunteer disclosure statement of the gunmen and servant of the petitioner to the effect that the injuries suffered by the petitioner were self inflicted. Co-accused, Sumit Kumar has already been admitted to bail by this Court. No recovery is to be effected from the petitioner.

On the other hand, learned State counsel has opposed the instant petition. On instructions, learned State counsel submits the

petitioner is the main accused. The challan stands presented but the charges are yet to be framed.

Heard.

The petitioner himself is the author of the instant FIR. The co-accused, namely, Sumit Kumar has been granted bail by this Court on 11.08.2016. He is in custody since 22.06.2016. Though, the challan stands presented, but the charges are yet to be framed, therefore, it can safely be inferred that the conclusion of the trial may take a considerable time.

Keeping in view the above and without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

However, anything noticed hereinabove shall not be construed as an expression of opinion on the merits of the case.

11.11.2016

atulsethi

(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No