

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

CRM No.M-863 of 2017
Date of decision:8.3.2017

Ajay Kumar @ Ajju

... Petitioner

versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH.

Present: Mr.Rajvir Singh, Advocate,
for the petitioner
Mr.Rajesh Mehta, Addl.AG, Punjab
...

AMOL RATTAN SINGH, J. (Oral)

Pursuant to the order dated 28.2.2017, the Senior Superintendent of Police, Rupnagar, is present in Court today. Learned State counsel has also filed his (the SSPs') affidavit in Court, which is taken on record.

Upon query, the Senior Superintendent of Police has given an explanation with regard to the present case, to the effect that the petitioners' family initially had not given any number of the bus that the petitioner was travelling in (as has been contended on the petitioners' side) from religious places back to his home.

That apart, it is not denied that earlier the investigating agency had stated that the petitioner was involved in a theft case but later on it was discovered that he was in custody on that date.

Learned counsel for the petitioner has also produced in Court

today a judgment of the learned Additional Sessions Judge, Rupnagar, dated 26.10.2016, in Sessions Case No.49/10.6.2016, pertaining to a police station of the same district, i.e. Rupnagar (simply shown as P.S. Rupnagar in the case decided on 26.10.2016), wherein it was found that one of the accused therein was shown to have committed a crime on 31.8.2015 at 10.00 am, whereas his release warrants from the jail where he was in custody, were shown to have been issued at 5.30 pm on 31.8.2015.

In the aforesaid circumstances, also keeping in view the fact that the petitioner has been in custody since 14.7.2016, with the trial not even effectively having begun as yet, without making any comment on the actual merits of the present case against the petitioner, he is ordered to be released on bail, on his furnishing adequate bail and surety bonds to the satisfaction of the learned trial Court, subject to his complying with all other conditions as would be laid down by that Court.

The petition is disposed of.

8.3.2017
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No