

CRM-M-8849-2017

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

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Date of Decision: 21.03.2017

Ajay Kumar alias Mithu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Amit Arora, Advocate,
for the petitioner.

Mr. Deep Singh, AAG, Punjab.

INDERJIT SINGH, J.

Petitioner-Ajay Kumar alias Mithu has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.04 dated 19.01.2016, registered at Police Station Beas, Amritsar Rural, under Sections 302, 307, 148 and 149 of the Indian Penal Code and Sections 25 and 27 of the Arms Act, 1959.

Notice of motion has been issued. Learned State counsel has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that neither the petitioner has been

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named in the FIR, nor any role has been attributed to him. He has been nominated on the basis of disclosure statement of co-accused. Only presence of the present petitioner has been shown at a distance and he has been stated to be remained sitting in the car. The allegation qua murder is against Manpreet Singh @ Mani and one another assailant namely Navdeep Singh.

The petitioner has been in custody since 05.04.2016. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case will take long time.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail; without expressing any opinion on the merits of the case and in view of the fact that no role has been attributed to the present petitioner, I find that no useful purpose will be served by keeping the petitioner in custody till the final disposal of the case. Therefore, finding merit in the present petition, the same is allowed. The petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of Rs.50,000/- with two surties in the like amount each to the satisfaction of the trial Court/Duty Magistrate.

21.03.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No