

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

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CRM-M-43473-2018

Date of Decision: October 08, 2018

Ashok Kumar

.....Petitioner(s)

versus

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Arjun Veer Sharma, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

Sudhir Mittal, J. (Oral)

The petitioner-Ashok Kumar son of Sh. Suresh Kumar, seeks regular bail in FIR No.307, dated 17.05.2018 registered at Police Station Focal Point, District Police Commissionerate, Ludhiana, under sections 323/341/506/436/148/149/427 IPC

2. Learned counsel for the petitioner submits that offence under section 436 IPC is not attributed to the petitioner. The petitioner has been in custody since 17.05.2018. The investigation is complete but the trial is not likely to be concluded at an early date. The petitioner has no criminal antecedents and thus, he may be released on regular bail.

3. Custody certificate dated 08.10.2018 prepared by Sh. Iqbal Singh

Dhaliwal, PPS, Deputy Superintendent, Central Jail, Ludhiana Prison, has been filed in Court today and the same is taken on record. A copy thereof has been supplied to learned counsel for the petitioner. A perusal thereof shows that the petitioner has been in custody for four months and sixteen days. There is no other criminal case pending/decided against him.

4. Learned State counsel opposes the prayer on the ground that the petitioner was also part of the unlawful assembly which set fire to the dwelling house of the complainant. It is however, admitted that the trial may not be concluded at an early date as the charges have not been framed as yet..

5. Keeping in view the fact that the investigation is complete, the petitioner does not have any criminal antecedents and that the trial is not likely to be concluded at an early date, no useful purpose would be served by keeping the petitioner in custody indefinitely. Moreover offence under section 436 IPC is not attributed to the petitioner, Thus, it would be just and appropriate to release him on regular bail.

6. In view of the above, this petition is allowed and the petitioner- Ashok Kumar son of Sh. Suresh Kumar, is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of learned trial Court concerned.

October 08, 2018

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JUDGE

Whether speaking/reasoned :	Yes
Whether Reportable :	No