

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

**CRM-M-45072-2018
Date of decision: 04.12.2018**

Akash

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. L. M. Gulati, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 43 dated 27.04.2018, registered under Sections 379-B/34 of the IPC and Sections 25/27 of the Arms Act, 1959 at Police Station "B" Division Amritsar, District Amritsar.

Learned counsel for the petitioner submits that as per the allegations in the FIR, registered on the statement of complainant Harsimranjit Singh, on 26.04.2018 at about 10.45 PM, he along with his friend Ranjit Singh was going on a motorcycle and three unknown persons came from the backside and stopped them and they snatched his motorcycle on the gun point.

Learned counsel for the petitioner further submits that the petitioner was later on arrested on the basis of some secret information and he is in judicial custody since 21.06.2018 and the recovery of the gun was effected from co-accused Avtar Singh, whereas, the motorcycle was

recovered from the petitioner.

Learned counsel for the petitioner further submits that petitioner is a first offender and is in custody for the last more than five months. It is further submitted that charges have been framed and conclusion of the trial is likely to take some time.

Learned State counsel, on instructions from ASI Amarjit Singh and on the basis of custody certificate dated 16.10.2018, has not disputed the factual position. As per said custody certificate, the petitioner is not involved in any other case.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that petitioner is a first offender; he is in custody since 21.06.2018 and also in view of the fact that conclusion of the trial is likely to take some time, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

December 04, 2018

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No