

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

CRM-M-42725-2019

Date of Decision: 15.10.2019

Ankush Kumar

...Petitioner

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Vipin Mahajan, Advocate for the petitioner.
Mr. Bhupinder Beniwal, AAG, Punjab.
Mr. Munish Puri, Advocate for the complainant.

ANIL KSHETARPAL, J.

Petitioner prays for regular bail in FIR No.188 dated 08.11.2018 registered under Sections 302, 307, 148 and 149 of the Indian Penal Code and Section 25 of the Arms Act at Police Station, Dinanagar, District Gurdaspur.

Learned counsel for the petitioner submits that petitioner is not alleged to be armed and he is not attributed to have caused any injury. He further submits that the petitioner is in custody since 26.11.2018. He further submits that investigations are complete and challan has been presented. He also relies upon an order passed in CRM-M-31809-2019, whereby co-accused Sajjan Kumar @ Sajan has also been granted concession of regular bail. It is alleged that there is no difference between the role attributed to the petitioner and aforesaid Sajjan Kumar @ Sajan.

On the other hand, learned counsel for the complainant has submitted that the offence was committed due to an earlier FIR No.53 dated 17.10.2018.

On a pointed question, learned counsel for the respondent

admits that petitioner herein is not an accused in the aforesaid case.

Be that as it may, the petitioner is in custody since 26.11.2018.

There are total 37 witnesses and evidence of not even one witness has been examined so far.

Without commenting on the merits of the case and keeping in view the aforesaid facts as also conclusion of the trial is likely to take time, it is considered appropriate to release the petitioner on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

15.10.2019
mks

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No