

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-10019 of 2020

Date of Decision: December 03, 2020

Akul Sharma

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. J.S. Thakur, Advocate
for the petitioner

Ms. Bhavna Gupta, DAG Punjab

Sudhir Mittal, J. (Oral)

This is the second petition filed by the petitioner for grant of regular bail in case FIR No. 67 dated 25.12.2012 registered under Sections 307, 399, 402, 148 and 149 IPC and Sections 25, 54, 27 of Arms Act, 1959 at Police Station Mattewal, District Amritsar (Rural).

Learned counsel for the petitioner submits that the trial is not likely to be concluded at an early date as only 1 PW out of a total of 21 PWs has been examined. The petitioner has already been in custody for more than 5 years. The co-accused Gurmeet Singh has already been granted regular bail vide order dated 27.05.2019 passed in CRM-M-45308-2018. The present FIR is of the year 2012 and no FIR was registered against the petitioner before the said year. This case has been registered only on the basis of suspicion and, thus, the petitioner deserves to be granted regular bail.

Custody certificate dated 01.12.2020 has been produced in the Court.

The same is taken on record. According to this custody certificate, the petitioner

pending cases against him. Two convictions have also been recorded, one of which is under Section 307 IPC.

Learned State counsel submits that keeping in view the antecedents of the petitioner it would be dangerous to release him into Society. However, it is admitted that only 1 PW has been examined till date.

A perusal of the aforementioned custody certificate shows that there are 17 criminal cases pending against the petitioner. Two of them are under Section 302 IPC. One conviction under Section 307 IPC has also been recorded. Thus, even though the trial has been delayed inordinately and is not likely to be concluded early, the criminal antecedents of the petitioner do not entitle him to grant of regular bail.

The petition is accordingly, dismissed.

December 03, 2020

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No