

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

Sr. No.215

CRM-M-16597-2020

DATE OF DECISION: August 11, 2020

KARAN AND ANOTHER

..PETITIONERS

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Kiran Kumar, Advocate, for the petitioners.
Mr. Ajay Pal Singh Gill, DAG, Punjab.

SUDHIR MITTAL, J. (ORAL)

The petitioners seek grant of regular bail in case FIR No. 25 dated 13.02.2020 registered at Police Station Kartarpur, District Jalandhar, under Sections 304 and 34 IPC.

2. Learned counsel for the petitioners submits that the petitioners have been in custody in excess of five months. The trial is not likely to be concluded at an early date as even charges have not been framed as yet. There is no other criminal case pending against the petitioners. The FIR was registered after a gap of 04 days and after an inquest was conducted. Thus, false implication cannot be ruled out.

3. Custody certificate dated 10.08.2020 has been filed in Court. The same is taken on record. According to this certificate, petitioner No.1- Karan has undergone actual custody of 05 months and 26 days and there is no other criminal case pending against him.

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4. Petitioner No.2-Ashok Kumar i.e. father of Karan was also arrested on the same day as Karan and thus, his custody is also bound to be the same.

5. Learned State counsel concedes that charges have not yet been framed.

6. It is thus clear that the trial is not likely to be concluded at an early date. The petitioners have been in custody in excess of five months and there is no other criminal case pending against them. Prima facie, on the basis of the record as on date, false implication cannot be ruled out. Thus, I deem it appropriate to grant the petitioners regular bail.

6. Accordingly, the petition is allowed and the petitioners are directed to be released on regular bail on their furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

August 11, 2020

Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No