

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

CRM-M-23880-2020 (O&M)

Date of decision:01.12.2020

Akul Kumar

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

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

Mr. Mehardeep Singh Dullat, Addl. A.G., Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Custody certificate by way of an affidavit dated 28.11.2020 of

Deputy Superintendent, Central Jail, Ferozepur, filed through email, is taken on record.

Through this petition under Section 439 Cr.P.C., the petitioner seeks regular bail in case bearing FIR No.226 dated 29.09.2014 registered under Sections 302,34 IPC and Section 25 of the Arms Act, 1959, at Police Station Sadar Amritsar, District Amritsar City.

Learned counsel for the petitioner states that two witnesses i.e. Raghav Nayyar (author of the FIR) and Monika Nayyar, wife of the deceased, have resiled. The FIR was registered against the unknown persons. This clearly shows the false implication of the petitioner. The petitioner has been behind bars for three years two months and the trial is likely to take long time to conclude. On this premise, he prays for release of the petitioner on regular bail.

Learned State counsel, while opposing the grant of regular

bail, states that there are seventeen more cases pending and/or registered against the petitioner. Apart from that, the petitioner has been acquitted in two cases whereas he stands convicted in two other cases.

I have heard learned counsel for the parties.

The above noted details clearly show that the petitioner is a person of criminal antecedents. The number of the pending/registered criminal cases against him besides his having earned conviction in two other cases, speaks volumes of his being habitual offender.

No ground is made to grant the regular bail to the petitioner.

Dismissed.

01.12.2020

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(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No