

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

225

CRM-M-30579-2021

Date of decision : 10.08.2021.

Ajay Kumar

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Chandan Singh Rana, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.231 dated 28.06.2018, under Sections 302 and 120-B of the Indian Penal Code ('IPC' - for short) and Section 25/27 of the Arms Act, registered at Police Station Jodhewal, District Ludhiana.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR wherein co-accused Gaurav has been specifically named. The motive is also attributed to co-accused Gaurav. On the statement of co-accused Gaurav, Yograj was arraigned as an accused. The petitioner has been arraigned as an accused on the statement of Yograj that it was the petitioner, who had supplied the firearm to the main accused Gaurav. The petitioner is in custody for over seven months and is not involved in any other criminal case. He further contends that similarly situated co-accused Vishal has been granted regular bail by this Court in CRM-M-25156 of 2019 on 18.12.2019. He also contends that the petitioner was earlier declared as a

proclaimed offender but the order has been set aside by the Coordinate Bench in CRM-M-15813 of 2020, on 11.08.2020 (Annexure P-6).

Learned State counsel, upon instructions from ASI Raj Kumar, states that although challan has been filed but no prosecution witness has been examined. He also contends that the petitioner was earlier declared as a proclaimed offender and in view of the serious allegations, he is not entitled to the concession of regular bail.

Heard.

In view of the above especially when the petitioner is in custody for over seven months, he is not involved in any other criminal case, co-accused has been granted bail, the Covid-19 pandemic and conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

August 10, 2021
sonia gugnani

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No