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

**CRM-M-47466-2021
Date of Decision: 06.12.2021**

RAJ KUMAR ALIAS RAJA ALIAS RAJA PAHARIA

..... Petitioner

Versus

STATE OF PUNJAB

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Umesh Aggarwal, Advocate,
for the petitioner.

Mr. R.S. Khaira, AAG, Punjab.

SUDIP AHLUWALIA, J. (ORAL)

This is a petition for regular bail under Section 439 Cr.P.C. on behalf of the petitioner, in case FIR No.201 dated 05.11.2018, under Sections 307, 353, 427, 212, 216 and 34 of the IPC and Section 25 and 27 of Arms Act, registered at Police Station Islamabad, District Police Commissionerate, Amritsar.

[2]. Custody Certificate of the petitioner has been sent up on behalf of the State from which it transpires that by now the petitioner has remained in detention in the present case for 03 years and 13 days since 22.11.2018. It is the same date from which co-accused Rajnish Kumar @ Preet Phagwara had been sent to imprison. The said co-accused has already been granted regular bail by this Court in CRM-M-38766-2020. As already noted in the order passed on the last date role of the petitioner in the present case is identical to that of said co-accused i.e. of having supplied/provided arms to the actual culprit, who had fired at the police party. The Custody Certificate further goes to show the involvement of the petitioner in several other

criminal cases. But he has been convicted only in one case being FIR No.33 dated 11.02.2015 of Police Station Bhalko Camp Jalandhar, in which he was awarded imprisonment to the terms already undergone by him till in the said case.

[3]. As such, further detention of the petitioner for an indefinite period is not justified.

[4] For the aforesaid reasons, without commenting any further on the merits of the present case as a whole, but in view of the detention undergone by the petitioner, the prayer of the petitioner for regular bail is allowed and he is ordered to be released on bail subject to appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

[5]. Disposed off.

06.12.2021

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**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No