

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

224

CRM-M-9950-2022 (O&M)

Date of Decision: 05.07.2022

AJIT KUMAR

...Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Satnam Singh Thakur, Advocate
for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

HARNARESH SINGH GILL, J.(Oral)

Through this 3rd petition, the petitioner seeks regular bail in case bearing FIR No.256 dated 05.12.2019, registered under Sections 379-B, 34 IPC, at Police Station Division 2, District Police Commissionerate, Ludhiana.

Learned counsel for the petitioner submits that the petitioner has falsely been involved in the present case; that there is a delay of two days in lodging the present FIR and that the petitioner has been in custody since 07.12.2019. He further submits that the challan was presented on 25.02.2020 and despite 10 adjournments, the complainant, who is a resident of Uttar Pradesh, has not been examined till date. Still further, it is submitted that in two other cases of similar nature, the petitioner was granted the concession of bail on 10.01.2020 and 19.01.2021 and that all the FIRs were registered on the same day at the same Police Station.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. He, however, submits that the petitioner is a habitual offender, inasmuch as, two more FIRs of similar nature have been registered and pending against him. He further submits that some of the prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 07.12.2019. In other cases registered against the petitioner, the petitioner is on bail. Some of the prosecution witnesses are yet to be examined. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above and without commenting anything on the merits of the case, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

05.07.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>