

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

CRM-M-1246-2023 (O&M)

Date of decision: 17.02.2023

Akashdeep Singh @ Akash @ Kashi

....Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Vaibhav Narang, Advocate for the petitioner

Mr. R.K. Kapoor, Addl. AG, Punjab

ANIL KSHETARPAL, J (Oral)

A short reply by way of an affidavit of the Assistant Commissioner of Police, North Amritsar City, on behalf of the respondent has been filed in the Court today and the same is taken on record.

This is the petitioner's third attempt to get bail pending trial in a criminal case arising from FIR No. 101 dated 17.04.2019 registered under Section 307, 379-B (2), 120-B IPC, 1860 (Section 394 IPC, 1860 added subsequently) and Section 25 of the Arms Act, 1959, at Police Station Sadar, District Police Commissionerate Amritsar.

The first bail petition was dismissed by this Court on 01.11.2019, whereas, the second petition was dismissed on 17.08.2020.

As per the case of the prosecution, 4 muffled assailants including the petitioner, came on two motor cycles and after causing gun shot injuries on the person of the salesman, fled away from the spot after taking the cash from the liquor vent.

The petitioner is stated to be in custody since 10.05.2019.

Learned counsel representing the petitioner contends that the

petitioner has already suffered incarceration for a period of more than 3 ½ years. He further submits that the alleged eye witnesses examined by the prosecution did not support their case.

On the other hand, the learned State counsel contends that the petitioner is involved in yet another case of similar nature i.e FIR No.103 dated 07.05.2019, under Section 307, 353, 186, 225 IPC and Section 25 of the Arms Act, 1959, registered at P.S. City Kapurthala.

The learned counsel representing the petitioner has submitted that two co- accused of the petitioner, who were identically placed, have already been granted the concession of bail.

On a Court question, Sh.Kapoor, learned State counsel has informed that the prosecution intends to examine as many as 32 witnesses and out of them, only 5 witnesses have been examined. It is evident that the conclusion of the trial is likely to take time. The petitioner has already suffered incarceration for a period of more than 3 years and 8 months.

Without commenting on the merits of the case and keeping in view the aforesaid facts, it is considered appropriate to release the petitioner on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

The petition stands allowed.

All the pending miscellaneous applications, if any, are also disposed of.

17.02.2023

rekha

Whether speaking/reasoned :

Whether reportable :

Yes/No

Yes/No

(ANIL KSHETARPAL)
JUDGE