

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

**CRM-M-30891-2021
DECIDED ON: 03.03.2023**

ARJUN ALIAS MANI NEPALI

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Nitesh Singhi, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

This is a petition seeking regular bail in FIR No.32, dated 18.02.2020, under Sections 307, 323, 506, 148, 149 of IPC, 1860 and Section 25, of Arms Act (Sections 54 and 59 of Arms Act added later on) registered at Police Station Jodhewal, Division No.5, District Ludhiana (Annexure P-1).

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case on the basis of statement made by Raman Kumar who was present alongwith other friends. He contends that though, the allegation in the FIR against the petitioner is that he fired a shot from a fire arm but no such fire arm was recovered and in fact the shot is attributed to the co-accused of the petitioner. He further submits that investigation is complete, challan stands presented and petitioner is behind the bars since 21.08.2020.

Learned State counsel has filed custody certificate of the petitioner, which is taken on record. According to the custody certificate, the

petitioner is behind the bars for the last 2 years, 6 months and 8 days. Custody certificate shows that the petitioner is involved in 4 others cases out of which in two cases, he is on bail and in one case, he is acquitted and in another he is not on bail.

Without commenting further upon the merits of the case and considering the custody period undergone by the petitioner and the fact that challan stands presented wherein trial is likely to take some time, no fruitful purpose would be served by keeping the petitioner behind the bars, the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, concerned.

The present petition is, hereby, allowed.

(SANDEEP MOUDGIL)
JUDGE

03.03.2023

Meenu

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