

242 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-26937-2023

Date of decision: 24.07.2023

ASHWANI KUMAR

...Petitioner

V/s

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. C.L. Verma, Advocate
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

DEEPAK GUPTA J. (ORAL)

Prayer in this petition filed under Section 439 Cr.P.C. is to grant regular bail in case FIR No.38 dated 07.04.2022 (Annexure P-1) registered under Section 420, 379-B, 467, 468, 170, 171 and 120-B IPC at Police Station Shahpurkandi, District Pathankot.

2. Status report by way of affidavit of Shri Rajinder Singh, PPS, Deputy Superintendent of Police, Sub Division Dharkalan, District Pathankot has been filed on behalf of respondent-State and the same is taken on record.

3. It is contended by learned counsel for the petitioner that co-accused Manjit Singh has already been allowed bail by this Court vide order dated 08.12.2022 in case bearing No.CRM-M-27546 of 2022 (O & M) (Annexure P-3). Learned counsel further contends that petitioner is in custody for the last more than 01 year and 03 months and not even single

witness has been examined so far and thus, trial is likely to take long time to conclude.

4. Learned State counsel does not dispute the fact that out of 20 witnesses cited by the prosecution, none has been examined so far, although the charges were framed on 22.10.2022. Learned State counsel also informs that petitioner is in custody since 07.04.2022 i.e. for the last more than 01 year and 03 months.

5. However, learned State counsel has opposed the instant petition on the ground that petitioner is involved in 03 more cases.

6. Having regard to all the aforesaid facts and circumstances, it appears that trial is likely to take long time. No purpose shall be served by keeping the petitioner detained, particularly when co-accused has already been allowed bail. As such, without commenting upon the merits of this case, the petitioner is admitted to be released on bail subject to his furnishing of adequate bail bonds/surety bonds to the satisfaction of the learned trial Court/Illaq Magistrate/Duty Magistrate concerned.

24.07.2023
manisha

(DEEPAK GUPTA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No