

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

Sr. No.207

CRM-M-40341-2022

Date of Decision : January 12, 2023

Raj Kumar @ Raju and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Rituraj Singh, Advocate, for the petitioners.

Mr. Pankaj Khullar, AAG, Punjab.

Mr. Eklavya Darshi, Advocate for the complainant.

SUDHIR MITTAL, J. (ORAL)

Status report dated 11.01.2023 has been filed in Court on behalf of the State. The same is taken on record.

Custody certificate dated 11.01.2023 prepared by Sh. Anurag Kumar, Jail Superintendent, Hoshiarpur has been filed in Court. The same is taken on record. A perusal thereof shows that petitioner No.1-Raj Kumar @ Raju has undergone actual custody of 09 months and 04 days and there is one other criminal case under Section 25 of the Arms Act, 1959 pending against him.

Based upon the aforementioned status report as well as the custody certificate, learned State counsel submits that Raj Kumar caused an injury on the head of the complainant with a Kirpan and snatched his motorcycle, purse and mobile phone. Ajay Kumar was also involved in the incident and hit the complainant with a Khanda on the left arm.

Learned counsel for the petitioners submits that the petitioners have undergone actual custody in excess of 09 months. One other case under Section 25 of the Arms Act, 1959 is pending against Raj Kumar but he is on bail in the said case. Trial is not likely to be concluded as only challan has been presented till now. The petitioners undertake not to indulge in criminal activity during the pendency of the trial and thus, they may be granted regular bail.

Keeping in view the fact that the petitioners have undergone actual custody of 09 months and 04 days and the trial is not likely to be concluded at an early date, I deem it appropriate to grant them regular bail. Accordingly, the petition is allowed. They are ordered to be released on bail on their furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

January 12, 2023
Ankur

(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No