

2023:PHHC:121994

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

**CRM-M-45227-2023
Date of Decision:15.09.2023**

Adesh Kumar @ Rinku

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Gurpal Singh Sandhu, Advocate
for the petitioner.

Mr. Mohinder Singh Joshi, Additional Advocate
General, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 Cr.PC with a prayer to grant regular bail in case FIR No. 58 dated 08.06.2023 registered under Section 379(b)(2) of IPC (Section 452,506 IPC added later on) and under Section 25/27 of Arms Act, Police Station Kotbhai District Shri Muktsar Sahib (Annexure P-1).

2. Learned counsel for the petitioner submits that the petitioner was not named in the present case and has been nominated as an accused on the basis of the supplementary statement made by the husband of the complainant. He further submits that both the parties are related to each other and a civil dispute regarding land is pending between the parties. Learned counsel further contends that the petitioner was arrested in the present case on 10.06.2023 and the challan has already been presented against him.

3. On the other hand, learned State counsel has vehemently opposed

the prayer made by learned counsel for the petitioner on the ground that the serious allegations have been levelled against the present petitioner and the petitioner does not deserve the concession of bail.

4. I have heard the learned counsel for the parties and with their able assistance, I have gone through the Court record carefully.

5. The petitioner was arrested in the present case on 10.06.2023 and is in custody for the last about three months. Admittedly a litigation pertaining to the land is pending between the parties and the investigation is already completed in the present case,. Thus, the trial proceedings may take quite a considerable long time.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

15.09.2023
hitesh

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No