

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

CRM-M-48835-2022 (O&M)
Date of Decision:-**16.01.2023**

AJAY

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

-.-

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-.-

Present:- Mr. Jagjeet Singh, Advocate
for the petitioner.

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

-.-

KARAMJIT SINGH, J. (Oral)

The petitioner has approached this Court seeking grant of regular bail in a case having FIR No.315 dated 27.12.2021 registered under Sections 399, 402 IPC and Sections 25/27 of Arms Act at Police Station Chhehratta District Amritsar.

The counsel for the petitioner submits that the petitioner has been falsely implicated in this case and is incarcerated for last more than 1 year and that the recovery is already stands effected and after completion of investigation police has presented the challan but charges are yet to be framed. The counsel for the petitioner further apprised the Court that

similarly situated co-accused Sukhsahibjit Singh, Sarabjit Singh, Rahul and Amanpreet Singh are already given benefit of regular bail vide Annexure P-1 to P-4.

The instant petition is resisted by the State counsel, who furnished custody certificate and further submits that one .32 bore pistol, 2 magazines and 3 live cartridges were recovered from the petitioner who was apprehended at the spot. However the State counsel has not disputed the fact that charges are yet to be framed and co-accused already enlarged on bail vide Annexure P-1 to P-4.

I have considered the submissions made by counsel for the parties.

Recovery in this case is already effected, the petitioner is behind the bars for the last more than 1 year and after completion of investigation police has presented the challan and it will take time for the conclusion of trail. Co-accused already granted concession of regular vide Annexure P-1 to P-4, so no purpose is going to be served by keeping the accused behind the bars for any longer period.

Thus without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

16.01.2023
Gaurav Sorot

Whether reasoned / speaking?
Whether reportable?

Yes / No
Yes / No