

2024:PHHC:097385



211 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-29297-2024
Decided on:-31.07.2024

Akash Tejpal

....Petitioner..

VS.

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Bhawesh Aggarwal, Advocate for
Mr.Ashish Aggarwal, Advocate,
for the petitioner.

Mr. Siddharth Sandhu, AAG, Punjab.

HARKESH MANUJA J. (Oral)

1. By way of present second petition filed under Section 439 Cr.PC, prayer has been made for grant of regular bail in case FIR No.91 dated 07.05.2023, registered under Sections 379-B (2), 323, 511, 427, 148, 149 IPC and Section 25 and 27 of the Arms Act, 1959 at Police Station Ranjit Avenue, District Amritsar City, wherein the petitioner has been implicated with the following allegations:-

“that on 30.04.2023, I along with my husband Rajesh Aggarwal and my neighbour Mehra started in our car I-10, PB-02-DC-5800 at about 4.5-0 a.m. when my husband Rajesh Aggarwal was driving the car and when we reached near M.K.Hotel at about 5:00 a.m. then three persons on two motor cycles each passed by nearby our car and gave a signal to stop and we thought that they wanted to know some address and when we stop the car they took

out pistols and my husband Rajesh Kumar Aggarwal immediately drove the car and we raised the alarm and since our car was at high speed and my husband was quite perplexed and our car hit the PR chowk because of that I, my husband and Neelam Mehra suffered the injuries and since the police station Ranjit Avenue is near the chowk, the aforesaid accused ran away on their motor cycles. Had my husband not driven the car then they would have definitely snatched our car and would have caused us many injuries.”

2. On the other hand, the prayer has been vehemently opposed at the instance of learned State counsel while referring to the antecedents of the petitioner, who is stated to be involved in three more cases relating to similar allegations.

3. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner.

4. In the present case, investigation already stands concluded with the filing of challan, followed by framing of charges. The petitioner is in custody for the last almost 01 year & 01 month and trial is likely to take some time.

As regards the involvement of the petitioner in other cases, as per the information provided by learned State counsel, he has already been granted the concession of bail in those cases.

5. Considering the aforesaid facts, this Court does not find justification to extend the incarceration of the petitioner any further.

6. In view of the above, but without commenting upon merits of the present petition, the same is allowed. The petitioner is ordered to be

released on bail subject to his furnishing adequate bail bonds / surety bonds to the satisfaction of the Trial Court/Illaqa Magistrate/Duty Magistrate concerned.

7. It is made clear that this order may not be construed as an expression of opinion on the merits of the case.

31.07.2024
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(HARKESH MANUJA)
JUDGE

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