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

CRM-M-40188-2024

Date of Decision:- 14.10.2024

Ashish Kumar alias Ashu

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Mukesh Mehra, Advocate
for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

AMARJOT BHATTI, J.

1. The petitioner – Ashish Kumar alias Ashu has filed petition under Section 483 of BNSS for grant of regular bail in FIR No. 32 dated 29.08.2017 registered under Section 382 and 411 of Indian Penal Code, 1860 at Police Station GRP Faridkot.

2. As per the facts of case, Viney Kumar complainant alleged that on 25.08.2017 at about 7:30 PM, he was talking to his relative on mobile No.98774-55887 brand Samsung then three young men with muffled faces came and started beating him and snatched his mobile phone. During this, scuffled face of two persons was revealed who were Tarsem Lal alias Deepu and other one was Sonu. After snatching his mobile phone said persons ran away. With these allegations, present FIR was registered.

3. Learned counsel for petitioner argued that petitioner was not named in the FIR. He was falsely implicated in this case. Due to wrong noting down of date, he could not face the trial. He absented on

29.03.2019 and was again apprehended on 15.04.2024 and since then he is

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behind the bars. He is ready to abide by the terms of bail order. Therefore, his regular bail petition may be allowed.

4. Bail petition was opposed by learned counsel representing State. Status report is also filed, which is taken on record. It is pointed out that present petitioner was declared proclaimed offender and was later on arrested on 15.04.2024. Other co-accused are already convicted. There is every likelihood that present petitioner may abscond. Therefore, he does not deserve concession of regular bail.

5. I have considered the arguments and have gone through the record. It is confirmed that present petitioner had absented, after framing of chargesheet. Other co-accused have been convicted and present petitioner is facing trial. He was arrested on 15.04.2024 and till date he is behind the bars. As per status report, co-accused Lakhvir Singh has filed appeal against the judgment of conviction whereas other co-accused Tarsem Lal @ Deepu also filed criminal appeal but on his death, the proceedings were abated. Trial of this case is likely to take time. Therefore, without expressing my mind on the merits of case, regular bail petition filed by petitioner – Ashish Kumar alias Ashu is allowed. He is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Judge concerned.

14.10.2024*Sunil Devi***(AMARJOT BHATTI)
JUDGE**

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No