



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

CRM-M-46723-2024

Date of Decision: 25.09.2024

Akash Masih

...Petitioner

vs.

State of Punjab

...Respondent

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

Present : Mr. Sandeep Wadhawan, Advocate, for the petitioner.
 Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail in case FIR No.19 dated 06.02.2024 registered under Sections 304, 201, 34 of IPC, at Police Station Lopoke, District Amritsar.

2. Learned counsel for the petitioner contends that even from the allegations levelled by the complainant in the present FIR, no offence under Section 304 IPC is made out against the petitioner. Rather, the petitioner has been falsely implicated in the present case after 7 days of the occurrence only on the basis of the suspicion. Learned counsel further contends that the petitioner is in custody since 06.02.2024 and after completion of the investigation, challan has also been presented against him. He further contends that the case of the petitioner is at par with Sahil Masih, who has been granted the concession of anticipatory bail, by this Court, vide order dated 22.07.2024 (Annexure P-4).



3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

4. I have heard the learned counsel for the parties and perused the record.

5. The petitioner is admittedly in custody for the last about 07 months. Another co-accused, namely, Sahil Masih, who is at par with the petitioner, has already been granted the concession of anticipatory bail by this Court, vide order dated 22.07.2024 (Annexure P-4). Thus, no purpose will be served by keeping the petitioner behind bars.

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.

25.09.2024.
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(N.S.SHEKHAWAT)
JUDGE

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