

225 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-53327-2023
Date of Decision: 25.01.2024

Jai Kush ...Petitioner

VS.

State of Punjab ...Respondent

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

Present : Mr. Rajiv Kumar Saini, Advocate
for the petitioner.

Mr. I.P.S. Sabharwal, DAG, 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 to him in case FIR No.318 dated 23.10.2022 registered under Sections 379-B, 411, 201, 34 of IPC and Sections 27, 54, 59 of Arms Act, at Police Station Civil Lines, Amritsar.

2. Learned counsel for the petitioner contends that the petitioner was arrested in the present case on 29.10.2022 and is in custody for the last about 01 year and 3 months. Learned counsel further contends that after completion of the investigation, the final report under Section 173 Cr.P.C. has been presented in the Competent Court. He next contends that similarly placed co-accused, namely, Amanpreet Singh Gill, Ashwani Kumar @ Ashu and Manoj @ Mannu have already been ordered to be released on bail by this Court, vide order dated 19.09.2023 (Annexure P-2).

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that three more cases were registered against the present petitioner. However, he admits that in one case under Section 25 of Arms Act, the petitioner has been acquitted, whereas in the other cases under Section 21 of the NDPS Act, the petitioner is already released on bail.

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

5.. The petitioner was arrested in the present case on 29.10.2022 and is in custody for the last about 01 year and 3 months. Similarly placed co-accused, namely, Amanpreet Singh Gill, Ashwani Kumar @ Ashu and Manoj @ Mannu have already been released on bail by this Court and no purpose would 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.

25.01.2024
hemlata

(N.S.SHEKHAWAT)
JUDGE

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