

[240] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-56402-2023
Date of Decision : 29.01.2024

Kayum Khan ...Petitioner
versus
State of PunjabRespondent

Coram : HON’BLE MR. JUSTICE DEEPAK GUPTA

Present : Mr. Prashant Vashisth, Advocate for the petitioner.

DEEPAK GUPTA, J. (ORAL)

[1] The petitioner is seeking regular bail by way of petition filed under Section 439 Cr.P.C in case FIR No.127 dated 27.06.2019 under Sections 307/353/332/186/224/436/427/148/149/120-B of IPC, registered at Police Station Division No.7, District Ludhiana Police Commissionarate.

[2] Learned counsel contends that the alleged incident in Central Jail, Ludhiana, took place way back on 27.06.2019 i.e. more than 04 years and 07 months back. Petitioner is in custody ever since then. Even the charges have not been framed, till date.

[3] Notice of motion.

[4] Mr. Karunesh Kaushal, learned AAG, Punjab, accepts notice on behalf of the respondent-State.

[5] Custody certificate dated 27.01.2024 has been filed in Court today. The same is taken on record.

[6] Learned State Counsel concedes the fact that though the challan was filed on 11.07.2020 but even the charges have not been framed, till date because of the abscondance of some of the co-accused.

[7] The custody certificate reveals that the petitioner is in custody for the last 04 years, 07 months and 04 days, though, he is involved in one more case pertained to NDPS Act.

[8] Having regard to the long incarceration of the petitioner in custody and the fact that even charges have not been framed till date without any fault on his part, this Court is inclined to grant bail to the petitioner, though the allegations are serious, as trial is likely to take long time to conclude. Consequently, without commenting anything further on the merits of the case, this petition is allowed and petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned, on usual terms and conditions.

(DEEPAK GUPTA)
JUDGE

29.01.2024
'Rajneesh'

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