

226 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2024:PHHC:017915
CRM-M-57868-2023
Date of Decision: February 08, 2024

Ajaypal @ Ajepal Singh @ Karuka @ Ghurka ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Sarbjit Singh, Advocate for the petitioner.

Mr. Karunesh Kaushal, AAG, Punjab.

DEEPAK GUPTA, J.(Oral)

By way of present petition filed under Section 439 Cr.P.C., petitioner prays for his release on regular bail in a case arising out of FIR No.03 dated 04.01.2023, under Sections 379-B, 411, 201 and 34 of IPC, registered at Police Stastion Beas, District Amrisar Rural.

2. As per the allegations, complainant Kamodh Kumar was coming back to his village Cheema Bhatt on 02.01.2023, when he was waylaid by 4-5 persons, who includes petitioner Ajaypal @ Ajepal Singh @ Karuka @ Ghurka, besides Vijay Masih @ Lucky, Jugraj Singh @ Jobbu and others. It is alleged that they thrashed the complainant and snatched his mobile phone Redmi besides ₹2,500/-.

3. Learned counsel for the petitioner contends that petitioner has been falsely implicated; that no injury with *datar* has been attributed to him, though the same is shown to have been recovered from him. Learned counsel also submits that he is in custody for the last more than 01 year and even the charges have not been framed till date.

4. Learned State counsel has opposed the bail petition by pointing out towards the nature of allegations. However, the custody

certificate placed on record by learned State counsel would reveal that petitioner is in custody for the last 01 year, 01 month and 04 days.

5. On instructions from ASI Shamsehr Singh, learned State counsel also confirms the fact that despite filing of challan, even charges have not been framed till date thus trial is likely to take long time to conclude.

6. Having regard to the custody period of the petitioner and other circumstances, but without commenting anything on the merits of the case, petitioner is admitted to bail. He is ordered to be released on bail on his furnishing requisite bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

Allowed.

February 08, 2024

sarita

(DEEPAK GUPTA)

JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No