



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

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CRM-M-56626-2024

Date of Decision.:20.11.2024

Ashok Kumar @ Shoki

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

**Present:- Mr. Harlove Singh Rajput, Legal Aid Counsel
for the petitioner.**

Mr. R.K.S. Brar, Addl. AG, Haryana.

DEEPAK GUPTA, J. (ORAL)

By way of this petition filed under Section 483 of the Bharatiya Nagrarik Suraksha Sanhita, 2023 (old Section 439 Cr.P.C.), petitioner prays for his release on regular bail in case FIR No.244 dated 31.05.2019 under Sections 302, 148, 149, 341 and 120-B IPC and Section 25 of Arms Act (Act N: 54 of 1959), registered at Police Station Kaithal City, District Kaithal.

2. It is his second petition. The earlier petition bearing No.CRM-M-39279-2023 was dismissed by this Court on 05.04.2024 vide Annexure P-7.

3. Contention of learned counsel for the petitioner is that ever since the dismissal of the earlier petition, the custody period of the petitioner has exceeded 05 years and that trial may take time to conclude.

4. While dismissing the earlier bail petition vide Annexure P-7 on

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05.04.2024, it was noticed by this court that petitioner had been earlier granted the concession of regular bail by the trial Court but on the petition filed by complainant, the regular bail was cancelled by this High Court vide order dated 09.11.2020 passed in CRM-M-22805-2020 (Annexure P-5). That order of this Court was challenged by the petitioner before Hon'ble Supreme Court but his SLP was dismissed on 15.12.2020 (Annexure P-4) with liberty to the petitioner to apply for bail after evidence of the complainant.

5. Thereafter, the petitioner had applied for bail before this Court and after considering all his contentions, the same was dismissed on 05.04.2024.

6. Learned counsel for the petitioner could not point out towards any change in the circumstances except the fact that his custody period has now extended to more than 05 years. This in itself cannot be a ground to grant bail to the petitioner, having regard to the gravity of the offence and circumstances against him as were noticed in the earlier order (Annexure P-7).

Dismissed.

(DEEPAK GUPTA)
JUDGE

November 20, 2024

Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No