

106+225 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-6706-2024 in/and
CRM-M-62623-2023
Date of Decision:13.02.2024**

Khusar Ashish Ram

...Petitioner

VS.

State of Punjab

...Respondent

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

Present : Mr. Sahil Goel, Advocate
for the petitioner.

Mr. Sukhdev Singh, AAG, Punjab.

N.S.Shekhawat J. (Oral)

CRM-6706-2024

Application is allowed as prayed for. Annexures P-3 and P-4 are taken on record.

CRM-M-62623-2023

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.178 dated 18.10.2023 registered under Sections 25(7), 25(8) of Arms Act, Section 406, 420 of IPC added later on, at Police Station Balongi, District SAS Nagar, Mohali.

2. Learned counsel for the petitioner contends that the petitioner was not named in the present case and has been arrayed as an accused on the basis of the disclosure statement suffered by Saurav Kumar @ Ajay, co-accused. He

further contends that co-accused, namely, Saurav Kumar @ Ajay has already been ordered to be released on bail by the Court of Additional Sessions Judge, SAS Nagar. Learned counsel further contends that the petitioner was arrested in the present case on 20.10.2023 and is in custody since then. He further contends that challan has already been presented against the petitioner in the present case.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner and submits that the petitioner does not deserve the concession of bail by this Court.

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

5. It is not in dispute that the petitioner has been arrayed as an accused on the basis of the disclosure statement suffered by Saurav Kumar @ Ajay, who has already been admitted to bail. Moreover, the petitioner is in custody for the last about 04 months and the final report under Section 173 Cr.P.C. has already been presented against him. Thus, the trial Court may take considerable time in concluding the trial and further custody of the petitioner will not serve any meaningful purpose.

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.

13.02.2024
hemlata

(N.S.SHEKHAWAT)
JUDGE

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