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

CRM-M-4869-2025**Date of Decision: 03.02.2025**

Akash Kumar

...Petitioner

vs.

State of Punjab

...Respondent

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

Present : Mr. Ruhani Chadha, Advocate
for the petitioner.

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail to him in case FIR No.12 dated 18.02.2024 registered under Sections 307, 353, 186 of IPC and Sections 25 and 27 of Arms Act, at Police Station Bullowal, District Hoshiarpur.

2. The FIR in the present case was registered on the basis of the statement made by Amandeep Kumar, SI/SHO, Police Station Bullowal. As per him, he alongwith other police officials had gone to arrest the accused and in the meantime, certain persons riding the motorcycle had fired on the police party. Even the police fired three rounds and the accused were injured and were apprehended.

3. Learned counsel for the petitioner contends that in fact, the entire version of the prosecution is highly unbelievable and the petitioner has been

falsely involved in the present case. Even the fire arm was planted on the present petitioner. Further, even though, it has been alleged that the petitioner had also fired shots, but no police official had suffered any injury in the present case. The petitioner was arrested in the present case on 18.02.2024 and after completion of investigation, challan has already been presented against him. He further contends that the prosecution has only been able to examine 06 witnesses, out of total 13 witnesses and his further custody will not serve any meaningful purpose.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

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

6. In the present case, the petitioner is in custody for the last 11 months and the case is still at the stage of prosecution evidence, which is not likely to conclude in near future. Further, in the present case, no police official had suffered any injury.

7. Thus, 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.

(N.S.SHEKHAWAT)
JUDGE

03.02.2025

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