

2025:PHHC:097141



VERSUS

CRM-26765-2025

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It has been alleged that the dead body of Surender was found in the village pond and there were 6-7 sharp injuries on the head of the brother of the complainant. Later on the present petitioner along with his co-accused were named and nominated in the FIR. The petitioner was 16 years, 06 months and 20 days of age at the time of occurrence and was treated as a 'Juvenile', however, was directed to be tried as an 'adult'. The other co-

accused, who was a 15 years old juvenile, has been acquitted. He further submits that the petitioner is not involved in any other case and prays that he be released on bail.

3. Learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner. He has filed the custody certificate of the petitioner, which is taken on record. As per the custody certificate, the petitioner is in custody for the last 02 years, 09 months and 14 days and out of total 28, 23 witnesses have been examined.

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

5. In view of the above submission of learned counsels, since the trial is yet to be commenced and the same is likely to take a long time, the fact that the petitioner is in custody for the last 02 years, 09 months and 14 days and continuous detention of the petitioner would not serve the ends of justice. Keeping in view the facts and circumstances of the present case, this Court deems it a fit case to grant the concession of regular bail to the petitioner during the pendency of the trial.

6. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bail bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

7. It is clarified that if on bail so granted through the instant order the applicant is found indulging in any other criminal case it shall be open to the State to seek cancellation of his bail.

(H.S.GREWAL)
JUDGE

31.07.2025

Janki

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