

2025:PHHC:042485



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

250

CRM M-15805 of 2025

Date of Decision: 27.03.2025

Ajay Kumar

...Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Manpreet Singh Dua, Advocate, for the petitioner.

Mr. Deepinder Singh Brar, Sr. DAG, 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 in case FIR No.157 dated 28.07.2024 registered under Sections 109, 307, 3(5) & 111 (added later) of BNS at Police Station Dasuya, District Hoshiarpur.

2. Learned counsel for the petitioner contends that the petitioner was not initially named in the FIR nor there was any averment, which connects him with the commission of the crime in any manner. He submits that the allegations were levelled against Abhi Rahimpurya and three unknown persons and the petitioner has been implicated on the basis of the disclosure statement suffered by Navpreet Singh, co-accused. Even as per the said statement, the

petitioner had given a blow with a *dattar* on the backside of the head of the complainant. Learned counsel further contends that the petitioner was arrested in the present case on 29.08.2024 and he is in custody for the last about 07 months. Even, the pistol, which was used in the commission of the crime was recovered from Rajdeep Singh @ Raja. Still further, charge has not been framed against him so far. Thus, it is apparent that the prosecution has intentionally delayed the trial before the trial Court, so as to ensure that the petitioner remains in custody for a longer period.

3. On the other hand, learned State counsel has vehemently opposed the prayer made by the learned counsel for the petitioner on the ground that there are serious allegations against the petitioner and the petitioner is not entitled for the concession of regular bail.

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

5. It is not in dispute that the petitioner is a first offender and was never involved in any criminal activity. He is continuing in custody for the last about 07 months. The injured has been discharged and the charge has not been framed against the petitioner so far. Thus, there are least chances of early conclusion of the trial.

6. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the

satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

27.03.2025
amit rana

(N.S.SHEKHAWAT)
JUDGE

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

