

CRM-M-53726-2024(O&M)

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2025.PHHC.009412



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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-53726-2024(O&M)

Date of Decision:22.01.2025

AKASHDEEP SINGH ALIAS NOTY

....Petitioner

VERSUS

STATE OF PUNJAB

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Ramnish Puri, Advocate for the petitioner.

Mr. Inderjeet Singh Ladher, DAG, Punjab.

KARAMJIT SINGH, J.

CRM-42816-2024

Allowed as prayed for.

CRM-M-53726-2024

Prayer in the present petition under Section 439 of Code of Criminal Procedure is for grant of regular bail to the petitioner in case having FIR No.223 dated 22.08.2023 registered for the offences punishable under Sections 379-B, 148, 149 of IPC (Section 379-B of IPC deleted and Section 379-B (2) of IPC added later on) at Police Station Jandiala, District Amritsar.

2. Counsel for the petitioner *inter alia* submits that petitioner was not named in the FIR and even during trial the complainant failed to identify the petitioner and thus resiled from his previous statement.



3. Short reply by way of an affidavit of Dharminder Kalyan, PPS, Deputy Superintendent of Police, Sub-Division jandiala, District Amritsar (Rural) filed on behalf of the State is taken on record along with Annexure R-1 and fresh custody certificate of the petitioner.
4. Learned State counsel submits that the petitioner is having criminal history and even in the present case he is facing serious charges. However, the State counsel has not disputed the fact that petitioner is incarcerated for the last 1 year and 4 months in the present case.
5. From the perusal of the copy of the deposition of PW-2 complainant-Veera Lal, which is supplied by counsel for the petitioner, it appears that the complainant has resiled from his previous statement and while appearing in the witness-box, he failed to support the case of prosecution.
6. In the given circumstances as it will take time for the trial to conclude, no purpose is going to be served by keeping the petitioner in custody for any longer period.
7. In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

22.01.2025

Priyanka Thakur

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No