



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

**CRM-M No.3888 of 2026
Date of decision: 30.04.2026**

Ajay Kumar @ Ajay Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present :- Mr. Harmanpreet Singh, Advocate
for the petitioner.

Mr. Hardeep Singh Wadhwa, DAG, Punjab.

MANDEEP PANNU, J. (Oral)

1. The present is the first petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for the grant of regular bail to the petitioner in case FIR No.90 dated 06.07.2015, registered under Sections 323, 324 and 34 of the Indian Penal Code, 1860 and Sections 326 and 307 IPC added later on at Police Station Sujampur, District Pathankot.

2. Learned counsel for the petitioner has contended that the petitioner was declared a proclaimed offender, however, the same was not on account of any deliberate or intentional act, rather, the petitioner remained ignorant of the proceedings. It is further submitted that the co-accused persons have already been acquitted vide judgment dated 03.10.2022. It is also argued that the petitioner was arrested on 03.04.2025 and since then, he is in custody. It is further submitted that three



prosecution witnesses have already been examined and none of them have supported the case of the prosecution and have turned hostile.

3. Per contra, learned State counsel has submitted that as per the custody certificate, the petitioner has undergone custody of 01 year and 25 days. The prayer for bail has been opposed on the ground that due to the absence of the petitioner, the trial of the case remained delayed for about five years and there is every likelihood that in case the petitioner is released on bail, he may again abscond.

4. Having heard learned counsel for the parties and perused the record, this Court finds that the FIR pertains to the year 2015 and the co-accused have already been acquitted vide judgment dated 03.10.2022. The petitioner was arrested on 03.04.2025 and has undergone custody of 01 year and 25 days. It is also significant that three prosecution witnesses examined so far have not supported the case of the prosecution and have turned hostile. In such circumstances, no useful purpose would be served by keeping the petitioner in further custody.

5. Accordingly, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

6. All pending applications, if any, also stand disposed of.

30.04.2026

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(MANDEEP PANNU)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No