



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

211

CRM-M-28682-2025
Date of decision: 28.05.2025

Ankush Malik @ Gajji

...Petitioner

Versus

The State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. GREWAL

Present : Mr. N.P.S. Hira, Advocate, for the petitioner.

Mr. M. S. Toor, AAG, Punjab.

H.S. GREWAL, J. (Oral)

1. The petitioner is seeking regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in FIR No.7 dated 14.01.2025 under Sections 115(2), 117(2), 118(2), 191(3), 190 of BNS, 2023, registered at Police Station Division-A, District Amritsar, Punjab.
2. Learned counsel for the petitioner submits that the case of the prosecution is that petitioner along with other co-accused had made a deadly attack on the complainant while armed with dangerous weapons like *datar* and *kirpan*. They caused grievous injuries on the head of the complainant and it is stated that FIR has been registered after a delay of 11 days. Moreover, it is stated that 2 persons namely Yuvraj and Jarnail had also caused grievous injuries to the complainant but they are yet to be arrested. However, petitioner is in custody for the last 3 months and 13 days. *Challan* has now been presented but charges are yet to be framed. Learned counsel submits that the trial is likely to take a long time, therefore, petitioner be released on regular bail.
3. Learned State counsel vehemently opposes the prayer for grant of regular bail to the petitioner. He has filed the custody certificate in Court



which is taken on record. As per the custody certificate, the petitioner is in custody for the last 3 months and 13 days.

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

5. In view of the above submission of learned counsel, and the fact that petitioner is in custody for the last 3 month and 13 days as of today; *challan* has been presented but charges are yet to be framed; trial is likely to take long time, therefore, the 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 learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

7. However, it is made clear that in case the petitioner misuses the concession of bail, the State would be at liberty to seek cancellation of his bail.

(H.S. GREWAL)
JUDGE

28.05.2025
anil

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