

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

CRM-M-13350-2015

Date of decision : 01.05.2015.

Kamaldeep Singh alias Teetu

..... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr. Vivek Goel, Advocate for petitioner .

Ms. Rimplejeet Kaur, AAG, Punjab.

DARSHAN SINGH, J. (Oral)

The present petition has been filed by petitioner Kamaldeep Singh alias Teetu for grant of regular bail in case FIR No.60 dated 02.04.2014 under Sections 392, 394, 397, 398 read with Section 120-B of the Indian Penal Code, 1860 and Section 25 of the Arms Act Police Station City Kotkapura, Distt. Faridkot.

As per the prosecution allegations, the present petitioner along with his co-accused snatched a bag containing Rs.4500/- from complainant Nandan alias Mohinder Singh in the presence of Harbans Singh and also caused injuries to them. The petitioner was arrested in this case on 20.04.2014. Since then he is in custody. Hence this petition.

Learned counsel for the petitioner contended that the name of the petitioner was not mentioned in the FIR. Both the witnesses of the prosecution i.e. complainant and Harbans Singh, the witness of occurrence have not supported the prosecution version. No recovery has been effected from the possession of the present petitioner. He is in custody for the last more than one year.

On the other hand learned State counsel pleaded that the present petitioner has supplied the pistol to his co-accused Mandeep, which was used in this occurrence.

I have duly considered the aforesaid contentions.

This fact is not disputed that name of the present petitioner was not mentioned in the FIR. It is also not disputed that after his arrest no recovery was effected from his possession. The petitioner has placed on file the copy of the statements of complainant Nandan alias Mohinder and Harbans Singh, the witness of the occurrence. Both of them have not supported the prosecution version and have not identified the present petitioner. The petitioner is in custody for the last more than one year. Thus, his further detention will be of no use.

Thus, without expressing anything on the merits of the case, the present petition is hereby allowed. Accused-petitioner Kamaldeep Singh alias Teetu is ordered to be released on bail on furnishing requisite bail bonds to the satisfaction of the trial Court.

01.05.2015

sunil yadav

**(DARSHAN SINGH)
JUDGE**