

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

**CRM-M-14850 of 2015
Date of decision : 19.05.2015**

Kirandeep Singh @ Mahna

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr. Birdavinder Singh, Advocate
 for the petitioner.

 Mr. Neeraj Yadav, AAG, Punjab.

DARSHAN SINGH,J(Oral)

The present petition has been filed by petitioner Kirandeep Singh @ Mahna under Section 439 Cr.P.C for grant of regular bail in case FIR No. 60 dated 02.04.2014, under Sections 394, 392, 397, 398 120-B of Indian Penal Code and Section 25 of Arms Act, registered at Police Station City Kotkapura, District Faridkot.

As per the prosecution allegations, the present petitioner along with his co-accused snatched a bag containing Rs.4500/- from complainant Nandan Singh @ Mohinder Singh in the presence of Harbhan Singh and also caused injuries to the them. The petitioner was arrested in this case on 04.04.2014. Since then, he is in custody. Hence this petition.

Learned counsel for the petitioner contended that the petitioner is in custody for the last more than one year. The material

witnesses of the prosecution i.e. the complainant and eye witness of the occurrence have not supported the prosecution case. The conclusion of the trial will take time. So, he deserves the concession of regular bail. He also contended that co-accused Kamaldeep Singh @ Tetu has already been granted the concession of bail by this Court.

On the other hand learned State counsel pleaded that the stolen property i.e. Rs.2000/- and an iron rod has been recovered from the possession of the petitioner. His name also figures in the FIR. So, he does not deserves the concession of regular bail.

I have duly considered the aforesaid contentions.

The petitioner has placed on file the copy of the statement of complainant and Harbhan Singh, the witness of occurrence. Both of them have not supported the prosecution version and have not identified the present petitioner as a culprit. This fact is also not disputed that the petitioner is in custody for the last more than one year. His further detention will not serve any purpose.

Thus, without expressing anything on the merits of the case, the present petition is hereby allowed and the petitioner Kirandeep Singh @ Mahna is ordered to be released on bail on furnishing requisite bail bonds to the satisfaction of the trial Court.

19.05.2015

s.khan

**(DARSHAN SINGH)
JUDGE**