

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

**Criminal Misc. No. M-37719 of 2015
Date of decision: 17.11.2015**

Kamalpreet Singh @ Kamal

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers may be allowed to see judgment? Yes/No**
- 2. To be referred to reporters or not? Yes/No**
- 3. Whether the judgment should be reported in the Digest? Yes/No**

Present: Mr. Deepak Arora, Advocate
for the petitioner.

Mr. B.S. Sra, Addl. A.G., Punjab
for the respondent – State.

Daya Chaudhary, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. on behalf of the petitioner-Kamalpreet Singh @ Kamal for grant of regular bail in case FIR No.168 dated 04.08.2014 registered under Sections 307, 326, 336, 120-B, 148 and 149 of Indian Penal Code and 25 of the Arms Act at Police Station Maqsudan, District Jalandhar.

Learned counsel for the petitioner submits that as per allegations levelled in the FIR, the incident was seen by the present petitioner but no overt act has been attributed to him. Learned counsel further submits that actually the petitioner was neither present at the

spot nor he has participated in commission of offence. No injury has been attributed to the petitioner. Learned counsel also submits that co-accused of the petitioner has been released on regular bail by this Court vide order dated 31.08.2015 and the petitioner is in custody for the last more than 9½ months. Charges have been framed and trial may take long time to conclude.

Learned State counsel has filed custody certificate in the Court and the same is taken on record. Custody period has not been disputed by learned State counsel.

Keeping in view the submissions made by learned counsel for the petitioner and by considering the role; the fact that co-accused has been released on bail on 31.08.2015; the present petitioner is in custody for the last more than 9½ months; trial may take some time to conclude and no purpose would be served by keeping the petitioner behind the bars, the present petition is allowed and the petitioner (Kamalpreet Singh @ Kamal) is directed to be released on regular bail subject to furnishing bail/surety bonds to the satisfaction of the trial Court.

17.11.2015
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(DAYA CHAUDHARY)
JUDGE