

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

CRM No. M-35510 of 2016

Date of decision:- October 07, 2016

KULDEEP SINGH @ KEEPA

.....PETITIONER..

VS.

STATE OF PUNJAB

....RESPONDENT..

CORAM:- HON'BLE MR. JUSTICE JASPAL SINGH

Present:- Mr. H.S. Gill, Sr. Advocate with
Mr. Nitin Rampal, Advocate,
for the petitioner.

Mr. RPS Sidhu, AAG, Punjab

JASPAL SINGH, J. (Oral)

By virtue of instant petition preferred under Section 439 of the Code of Criminal Procedure (for brevity, "Code" only), petitioner-Kuldeep Singh @ Keepa has sought bail during the pendency of trial, in case FIR No.206, dated 24.08.2011, under Sections 399, 402 IPC and Section 25 of the Arms Act, Police Station City Kotkapura, District Faridkot.

2. Undisputably, the petitioner was granted the concession of bail in the instant case on 01.12.2011. Thereafter, he has been regularly appearing before the trial court but on 02.05.2014, he could not appear as he was arrested in another case bearing FIR No. 33, dated 29.04.2010, under Sections 307, 427, 506, 148, 149 and 120-B IPC, Police Station Mehna, District Moga on 04.04.2014 and from the said date, he is suffering

incarceration. Absence of the petitioner on 02.05.2014 cannot be said to be willful or intentional but it was due to the reason that he was arrested in another case i.e. FIR No. 33, dated 29.04.2010. During the course of arguments, it has also emerged that still the case is lingering on for evidence of prosecution. Thus, disposal of the trial is not likely in the near future.

3. Taking into consideration the aforesaid aspects but without expressing any opinion on the merits of the case, the petition is allowed and petitioner is ordered to be released on bail, during pendency of trial, at the satisfaction of trial Court/Duty Magistrate, Faridkot.

October 07, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: Yes

Whether reasonable: No