

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

CRM No. M-37868 of 2016

Date of decision:- December 02, 2016

KULDEEP SINGH @ VENJA

....PETITIONER..

VS.

STATE OF PUNJAB

....RESPONDENT..

CORAM:- HON'BLE MR. JUSTICE JASPAL SINGH

Present:- Mr. Chandeeep Singh, Advocate,
for the petitioner.

Mr. P.S. Paul, DAG, Punjab assisted by ASI Balbir Singh.

JASPAL SINGH, J. (Oral)

By virtue of this petition preferred under Section 439 Cr.P.C., petitioner has sought regular bail in case FIR No. 60 dated 29.06.2016 under Sections 307, 148,149 IPC, Section 25 of Arms Act 1959 and Section 21 of the NDPS Act, registered at Police Station Lambra, District Jalandhar.

2. Briefly stated the case of prosecution is that on June 29, 2016 a police party headed by Inspector Inderjit Singh consisting of some other police officials signalled a car to stop upon which petitioner and his companions started firing from their respective weapons. Petitioner was arrested by the police party at the spot, a revolver of .32 bore and 2 live cartridges were recovered from the possession of the petitioner. Though, various shots are alleged to have been fired upon the police party at the hands of petitioner and his companions but no injury was suffered by any member of the police party. Since, the date of his arrest i.e. 29.06.2016,

petitioner is suffering incarceration. As pointed out by learned State counsel that investigation is still in progress and report under Section 173(2) Cr.P.C. has not been furnished yet. Moreover, similarly situated co-accused of the petitioner namely Rakesh Kumar @ Keshi has already been granted the concession of bail by this Court vide order dated 26.08.2016 passed in CRM-M-29180-2016.

3. Thus, in the given circumstances, a case is made out to extend the concession of bail to the petitioner in the instant case.

4. In the light of afore-said facts and circumstances but without expressing any opinion on the merits of the case, instant petition is allowed and petitioner is ordered to be released on bail at the satisfaction of learned trial Court/Duty Magistrate.

December 02, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reasonable: Yes/No