

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

**CRM-M No.10084 of 2018
Decided on: 15.03.2018**

Kulwant Singh @ Kallu

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

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

Mr. Abhay Pal Singh Gill, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner in FIR No.157 dated 20.07.2017, for offence punishable under Section 379-B of the Indian Penal Code (in short 'IPC'), registered at Police Station Sultanwind, Amritsar, District Amritsar.

Counsel for the petitioner has submitted that the petitioner was not named in the FIR and is implicated in the present FIR on the basis of the disclosure statement suffered by Sukhdeep Singh @ Sajan. It is further submitted that the petitioner is not involved in any other case. Counsel for the petitioner has further submitted that the petitioner is a young man aged about 22 years and is in custody since 09.10.2017, the challan has already been presented and no prosecution witness has been examined so far and, thus, conclusion of the trial will take long time.

Counsel for the State has filed the custody certificate today

in the Court, according to which the petitioner is in judicial custody for the last 05 months and 05 days. Counsel for the State, on instructions from ASI Davinder Singh, has submitted that co-accused of the petitioner is involved in one another FIR, however, there is no other FIR pending against the petitioner.

Without commenting anything on merits of the case and considering the fact that the petitioner is not involved in any other case and is in judicial custody for the last 05 months, the petition is allowed and the petitioner is ordered to be released on bail subject to furnishing bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail, if the petitioner is found misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

15.03.2018
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No