

CRM-M-29933-2018

PARVEEN KUMAR  
2018.11.01 16:10  
I attest to the accuracy and  
integrity of this document

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

**CRM-M-29933-2018**  
**Date of Decision:01.11.2018**

Arvind Kumar @ Uttam

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH**

Present: Mr. Anil Kumar Garg, Advocate,  
for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

**INDERJIT SINGH, J. (Oral)**

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.63 dated 07.04.2017, registered at Police Station Sahnewal, District Police Commissionerate, Ludhiana, under Sections 458 and 380 of the Indian Penal Code (however challan presented under Sections 379-B, 458 and 395 of the Indian Penal Code and Section 25 of the Arms Act, 1959).

Notice of motion has been issued. Learned State counsel has appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

From the record, I find that in the present case, star witness i.e. complainant while appearing as prosecution witness has not

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identified the present petitioner in the Court. The petitioner has been in custody since 19.04.2017. As the complainant has already been examined in the Court, therefore, there is no chance of tampering with the material evidence. Moreover, trial of the case will take a long time. Therefore, no useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with two sureties in the like amount each to the satisfaction of the trial Court/Duty Magistrate.

**01.11.2018**

parveen kumar

**(INDERJIT SINGH)**  
**JUDGE**

|                           |   |     |
|---------------------------|---|-----|
| Whether speaking/reasoned | : | Yes |
| Whether reportable        | : | No  |