

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

205

CRM-M no.45755 of 2019
Date of Decision: 27.11.2019

Kulwinder Singh @ Kinda

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. PKS Phoolka, Advocate, for the petitioner.
Mr. B.S. Sewak, Addl. Advocate General, Punjab.

Amol Rattan Singh, J. (Oral)

The petitioner not having been apprehended on the spot, (which is why he is seeking the concession of anticipatory bail), the other accused are stated to have been arrested allegedly in the process of preparing for dacoity (as per the case of the prosecution).

Learned State counsel (on instructions received by him from the police official who is present in Court to assist him) however, submits that the recovery of a pistol is to be made from him.

Learned counsel for the petitioner on the other hand submits that with him not having been present at the spot where the dacoity was allegedly being prepared for, the question of any recovery from him would not arise.

Having considered the arguments, for the purpose of confirming the interim bail, I would agree with the argument of learned

counsel for the petitioner on sheer “balance of convenience”.

Consequently, with the petitioner having joined investigation as per the learned State counsel, this petition is allowed, with the interim order 24.10.2019, granting interim bail to the petitioner, made absolute on the same terms and conditions.

However, nothing stated herein above would be taken to be a comment on the merits of the case, which would be gone into by the trial court wholly on the basis of evidence led before it.

27.11.2019

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(AMOL RATTAN SINGH)

JUDGE

Whether reasoned/speaking: Yes

Whether reportable: No