

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

Sr. No.211-2

CRM-M-51629-2019

Date of decision : 13.12.2019

Kamalpreet Singh @ Kamal

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. R.P Dhir, Advocate, for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.132 dated 9.11.2018, registered at Police Station Mahilpur, District Hoshiarpur, under Sections 307, 353, 186, 148, 149 IPC and Section 25 of the Arms Act, 1959.

Learned counsel for the petitioner submits that the petitioner was not arrested at the spot nor any recovery was effected from him. He has been in custody for over 11 months and the trial is not likely to be concluded at an early date as examination of PWs has not yet commenced. The petitioner has been falsely implicated in this case as is evident from the fact that he was arrested in FIR No.11 dated 7.2.2018 registered under Sections 379-B and 411 IPC on 13.12.2018 and thereafter, he was implicated in this case. Thus, the petitioner be granted regular bail.

Custody certificate dated 12.12.2019, prepared by Sh. Baljit Singh, PPS, Deputy Superintendent, Central Jail, Kapurthala, has been filed by the learned State counsel in Court today and the same is taken on record. According to this certificate, the petitioner has undergone actual custody of 11 months and 15 days and there are 03 other criminal cases pending against him. One of the said cases is under Section 392 IPC and another one is

Learned State counsel submits that the petitioner is a habitual criminal and is accused of serious offences. Thus, he may not be granted regular bail.

From the facts aforementioned, it is evident that the petitioner has criminal antecedents. Although, he has been in custody for over 11 months in the present case, releasing such a person into society is not safe.

The petition is accordingly, dismissed at this stage.

(SUDHIR MITTAL)
JUDGE

13.12.2019

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No