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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1405-2020

Date of decision-22.01.2020

Kuldeep Singh

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Vikas Bishnoi, Advocate for the petitioner.

Mr. Praveen Bhadu, DAG, Haryana.

MANOJ BAJAJ, J.

Petitioner-Kuldeep Singh has prayed for grant of regular bail under Section 439 Cr.P.C in case FIR No.329 dated 29.07.2018 registered under Sections 364 and 379 of Indian Penal Code, 1860 (Section 325 IPC added later on) at Police Station City Tohana, District Fatehabad. The petitioner is in custody since his arrest on 10.12.2018.

The FIR was registered on the statement of complainant, namely, Balwinder son of Tara Chand wherein it was alleged that on 29.07.2018, when he was going to drop his friend, Ravinder @ Ravi at railway station, then the accused alongwith other 5-6 boys caught hold of Ravinder near Railway Road Gurudwara and robbed him of his belongings and kidnapped him in an alto car. He gave him binda blows. On these broad

allegations, FIR was registered.

Learned counsel for the petitioner contends that the petitioner was not named in the FIR by the complainant, namely, Balwinder and the allegations were levelled against one Bhagwana and Inderjeet and 5-6 other persons. It is pointed out that the victim Ravinder @ Ravi despite issuance of warrants has not appeared before the trial Court for recording his evidence whereas the complainant, namely, Balwinder who was examined as PW-15, did not name the petitioner in his deposition before the Court. It is pointed out that the allegations were against Bhagwana and Inderjeet. He submits that the petitioner is in custody for the last more than a year and the trial is likely to take considerable time, therefore, he deserves the concession of regular bail.

On the other hand, learned State counsel assisted by HC Roshan Lal opposed the prayer. He has apprised the Court that the complainant has been examined and he has not indicted the petitioner. It is pointed out that there is no other case against the petitioner.

After hearing learned counsel for the parties, this Court is of the opinion that since the complainant stands examined and the other witnesses are yet to be examined, therefore, trial is likely to consume considerable time and no useful purpose would be served by keeping the petitioner behind the bars, particularly when he is not involved in any other case of similar nature. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction

of the trial Court concerned.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

22.01.2020
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No