

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

**CRM-M-4049 of 2020
Date of Decision:-05.02.2020**

Kuldeep Singh @ Manak

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. S.S. Maini, Advocate
for the petitioner.

Mr. A.P.S. Gill, DAG, Punjab.

JASGURPREET SINGH PURI J.(Oral)

Petitioner-Kuldeep Singh @ Manak has filed the present petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No.15 dated 28.1.2019, under Sections 324, 323, 148 and 149 IPC (Section 326 IPC added later on), registered at Police Station Sadar Kotkapura, District Faridkot.

Learned counsel for the petitioner has argued that in the present case the petitioner was not named in the FIR and was nominated on the basis of disclosure statement of co-accused. He has further stated that the petitioner is in custody since 13.11.2019 and during the investigation the police has allegedly roped him into this case and therefore he prays for

grant of bail to the petitioner.

Per contra learned State counsel on instructions from ASI Sikander Singh stated that the investigation has been completed and the challan has also been presented before the trial Court. He has further stated that the petitioner was nominated on the basis of disclosure statement of co-accused but the injury has been attributed to the petitioner. Although the injury is simple in nature, which was inflicted on the finger of the complainant but has opposed the prayer for grant of bail to the petitioner.

I have heard learned counsel for the parties and perused the records carefully.

It is an admitted case that the petitioner was not named in the FIR but was nominated later on on the basis of disclosure statement of co-accused and as per the assertion made by learned State counsel on instructions from the investigating officer that at the most the injury attributed to the petitioner is simple in nature and also on the small finger of the injured. The petitioner is in custody since 13.11.2019. In view of the totality of circumstances, this Court finds that the trial of the case is likely to consume considerable time and keeping in view the injury attributed to him and custodial period, his further custody may not be justified. Therefore, 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.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the

purpose of deciding the present petition only.

The petition is allowed.

February 05, 2020
Vijay Asija

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned	Yes / No
Whether Reportable	Yes / No