

CRM-M-22164-2021 (O&M)

Date of Decision: 01.12.2021

Kaishav @ Keshav Kumar @ Keshav Kumar

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Surjit Singh Salar, Advocate,
for the petitioner.

Mr. Rana Harjasdeep Singh, D.A.G., Punjab.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

This petition has been filed under the provisions of Section 439 of the Cr.P.C., for grant of 'regular bail' to the petitioner in case FIR No. 135, dated 21.08.2020, registered at Police Station Civil Lines, District Bathinda, for the alleged commission of offences punishable under the provisions of Sections 302/307/427/506/148/149 of the IPC and Sections 25/27/54/59 of the Arms Act, 1959.

On 21.09.2021, the following order had been passed by this court:-

*“Case heard via video conference.**Adjourned to 01.12.2021.**Learned State counsel would take instructions as to whether there is any other criminal case registered against the petitioner, with learned counsel for the petitioner having pointed to the statement of the father of the deceased (on the basis of*

which FIR was registered), but the statement of his brother under the provisions of Section 161 of the Cr.P.C. thereafter (the brother being an eyewitness), not having named the petitioner at all.”

Learned counsel for the State, on instructions from Inspector Karamjit Singh, submits that there is no other criminal cases registered against the petitioner.

He further submits, upon query of this court, that the charge has been framed against the petitioner, with no prosecution witness having been examined so far and with the petitioner having been in custody for 01 year and 02 months.

Learned counsel for the petitioner submits that in fact the trial has not progressed any further because (other than due to the pandemic), a supplementary '*challan*' has thereafter been submitted qua other co-accused.

He also reiterates what he had contended on 21.09.2021.

In the aforesaid circumstances, keeping in view the period of custody of the petitioner, without making any comment on the actual merits of the case, the petition is allowed. The petitioner shall be admitted to bail upon his furnishing adequate bail bonds and surety bonds to the satisfaction of the learned trial court/Duty Magistrate/Chief Judicial Magistrate concerned.

December 01, 2021
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.