

In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 27706 of 2021

Date of Decision: 30.9.2021

Kulwant Singh @ Jaggu

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Pushpinder Singh, Advocate
for the petitioner.

Mr. Avtar Singh Sandhu, Addl. A.G., Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner seeks regular bail in FIR No. 232 dated 8.10.2020 under Sections 392, 473, 212, 216, 120-B, 34 IPC and Section 25 of the Arms Act, 1959, registered at Police Station Sadar Nabha, District Patiala.

Status report by way of affidavit of Deputy Superintendent of Police, Circle Nabha, District Patiala dated 29.9.2021 has been filed in the Court, which is taken on record.

Learned counsel for the petitioner submits that there is a delay of two days in lodging the present FIR. The petitioner has been indicted in the present case on the vague statement of one Subegh Singh, recorded on 09.10.2020, wherein he stated that he came to know from some people that the crime in question had been committed by the petitioner and Kulwant

Singh, on the instructions of one Dilpreet Singh @ Baba. He further submits

that co-accused, namely, Amandeep Singh and Bikkar Singh have already been granted regular bail, whereas co-accused Gursewak Singh has been granted interim bail by the trial Court. Moreover, the FIR in question is against unknown persons and the petitioner has been in custody since 11.10.2020.

On the other hand, learned State counsel opposes the bail petition and submits that there are serious allegations against the petitioner; that the petitioner is also involved in other criminal cases; that he is a habitual offender and that the challan has been presented in this case.

I have heard the learned counsel for the parties.

In the present case, the petitioner has not been named in the FIR and is alleged to have been involved in this case on the vague statement of one Subegh Singh, dated 09.10.2020 (Annexure P-2). The petitioner has been in custody since 11.10.2020 and the co-accused are already on bail. The prosecution witnesses are yet to be examined. The trial will take time to conclude because of Covid-19 pandemic. No useful purpose would be served by keeping the petitioner behind the bars.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

September 30, 2021
Gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No