

KULDEEP SINGH @ KIDA

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

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

Mr. Amrik Singh Narwal, DAG, Haryana.

*(The case has been taken up through video conferencing on
account of Covid-19 Pandemic)*

VIVEK PURI, J. (ORAL)

Custody certificate of the petitioner has been filed by the State
counsel in Court today through email and the same is taken on record.

Kuldeep Singh @ Kida-petitioner is seeking regular bail in the case
bearing FIR No. 7 dated 04.01.2020 under Sections 332/353/395/427/544/397
IPC and Section 25 of Arms Act added vide order dated 04.01.2021, registered
at Police Station Bhuna, District Fatehabad.

Briefly, the FIR has been registered on the allegations that the
accused party had taken out an amount of Rs.3000/- by cutting the shutter of the
ATM of State Bank of India installed in the area of Village Jandi Kalana with
the help of gas cylinder and gas cutter.

It has been argued by the learned counsel for the petitioner that
though he is involved in other case bearing FIR No. 395 dated 16.08.2019 under
Sections 307/201 with 34 IPC but he has been granted regular bail by the
learned Sessions Judge, Fatehabad in terms of order dated 05.11.2019.

Furthermore, the petitioner has not been named in the FIR. Similarly placed co-

accused, namely, Sushil Kumar and Shaktiman @ Shakti have been granted bail by the Co-ordinate Bench of this Court. Even no recovery has been effected from the petitioner and he is in custody since 20.02.2020.

On instructions from SI Parhlad Singh, learned State counsel has not disputed the aforesaid facts.

Keeping in view the fact that the similarly placed co-accused have been granted bail, no recovery has been effected from the petitioner, the charges are yet to be framed and the conclusion of the trial is likely to take sometime, no fruitful purpose will be served by detaining the petitioner in further custody.

In these circumstances, sufficient grounds are made out to extend the concession of bail to the petitioner.

Without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

The petition is allowed accordingly.

15.03.2021
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(VIVEK PURI)
JUDGE

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