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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-33974-2022
Date of Decision: 10.11.2022

KULDEEP SINGH @ KIPA

....Petitioner(s)

Versus

STATE OF PUNJAB

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Amit Arora, Advocate, for the petitioner.

Mr. Kunal Vinayak, AAG, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No. 25 dated 07.05.2019, under Sections 308, 323, 324, 148, 149 IPC, registered at Police Station Sarai Amant Khan, District Tarn Taran.

It has been submitted by the learned counsel for the petitioner that the petitioner is in custody from 09.06.2022 and has been falsely implicated in the present case. He further submitted that the investigation of the case has already been completed and so far as the present petitioner is concerned, the challan has already been presented before the competent Court. He further submitted that petitioner is not involved in any other case and has got clean antecedents and no recovery is to be effected from the petitioner. He further submitted that the other co-accused namely Ravinder Singh @ Bitty @ Binti has been extended the benefit of regular bail by the learned Additional Sessions Judge, Tarn Taran vide Annexure P-1 and the petitioner is at parity with the aforesaid co-accused and since the trial of the case may take long time, no

useful purpose will be served in case the custody of the petitioner is extended.

On the other hand, Mr. Kunal Vinayak, learned Assistant Advocate General, Punjab has submitted that it is correct that the petitioner is in custody from 09.06.2022 and the other co-accused namely Ravinder Singh @ Bitty @ Binty who is similarly situated with the petitioner has been extended the benefit of regular bail by the learned Additional Sessions Judge, Tarn Taran and it is also correct that the petitioner is not involved in any other case and now no recovery is to be effected from the petitioner.

I have heard the learned counsel for the parties.

The petitioner is in custody from 09.06.2022 and investigation of the case has already been completed and qua the petitioner the challan has already been presented. The petitioner is stated to be not involved in any other case. Furthermore, it is not the case of the State that in case the petitioner is released on bail, then he may influence any witness or may tamper with evidence or may flee from justice.

In view of the aforesaid facts and circumstances, this Court deems it fit and proper to grant regular bail to the petitioner.

Consequently, the present petition is allowed. The petitioner shall be released on regular bail subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.

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.

10.11.2022

rakesh

(JASGURPREET SINGH PURI)
JUDGE

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