

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

**CRM-M No.48174 of 2021
Date of Decision: 11.02.2022**

Kulwinder Singh @ Kinda

.....Petitioner.

Versus

State of Punjab

.....Respondent.

(Heard through Video-Conferencing)

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. Rahul Arora, Advocate
for the petitioner.

Ms. Ishneet Kaur, A.A.G, Punjab.

MEENAKSHI I. MEHTA, J.(Oral)

The petitioner herein seeks the relief of regular bail in the criminal case arising out of the FIR bearing No.156 dated 30.10.2020 registered at Police Station Mallanwala, District Ferozepur, under Sections 379, 411 IPC with the allegations that he was habitual of stealing the motorcycles and to sell the same later-on.

Reply on behalf of the respondent-State, by way of the affidavit of Deputy Superintendent of Police, Zira, District Ferozepur, is already available on the file and the same is taken on the record and learned State counsel points out that in Para No.2 therein, it has been mentioned that the petitioner was found in possession of one motorcycle stolen by him.

I have heard learned counsel for the petitioner as well as

learned State counsel in the present petition and have also perused the file thoroughly.

Learned counsel for the petitioner contends that the petitioner is behind the bars since 31.10.2020 and as mentioned in the reply itself, out of the total eight prosecution witnesses as cited in the Challan, only two prosecution witnesses have been examined before the trial Court so far and in these circumstances, he deserves the relief as prayed for in this petition.

Learned State counsel does not dispute the above-referred factual position.

Keeping in view the above-discussed facts and circumstances as well as the fact that the trial of the case is likely to take sufficient time to conclude and without commenting or expressing any opinion on the merits of the case, the petitioner named Kulwinder Singh @ Kinda is ordered to be released on regular bail subject to his furnishing the requisite personal and surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

The instant petition stands allowed accordingly.

February 11, 2022
Yag Dutt

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: *Yes*

Whether Reportable: *No*