

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

217

CRM-M-21486-2023

Date of Decision.:14.07.2023

Kuldeep Singh @ Kerry

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. B.D. Sharma, Advocate
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

DEEPAK GUPTA, J. (ORAL)

The petitioner is seeking regular bail by way of this petition under Section 439 Cr.P.C in case FIR No.117 dated 26.11.2022 registered under Sections 399, 402 of the IPC, 1860 and Section 25 of the Arms Act, 1959 registered at Police Station City Morinda, District Rupnagar.

2. As per the prosecution allegations, on 26.11.2022, police party received secret information against the petitioner and others to be armed with deadly weapons, sitting in an un-inhabitant area and devising means and methods for committing dacoity. Raid was conducted. Iron rod was recovered from co-accused Beant Singh. A country made pistol was recovered from Kulwinder Singh, one Kirpan was recovered from Kuldeep Singh, one iron rod each was recovered from Satvir Singh and Rupinder Singh. It is also alleged that based on disclosure statement, petitioner also got recovered two pistols and 18 live cartridges.

3. It is contended by learned counsel that petitioner has been

falsely implicated; that similarly placed co-accused Beant Singh, Kulwinder Singh and Satvir Singh had already been allowed regular bail.

4. Learned State counsel does not dispute the factual position that case of the petitioner is on parity with the co-accused. However, he has opposed the bail petition on the ground that petitioner is involved in two more cases, though one pertains to Section 302 of the IPC in which he has already been acquitted.

5. Having regard to the fact that case of the petitioner is on parity with the co-accused and co-accused Beant Singh, Kulwinder Singh and Satvir Singh have already been allowed bail but without commenting anything further on the merits of the case, this petition is allowed and petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

July 14, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No