

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-24474-2023
Date of Decision: May 24, 2023

KULDEEP SINGH Petitioner
Versus
STATE OF PUNJAB Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. J.S. Brar, Advocate for the petitioner.
Mr. Amit Shukla, AAG, Punjab.

HARKESH MANUJA, J. (ORAL)

1. By way of present petition filed under Section 439 CrPC, prayer has been made for grant of bail pending trial in case FIR No.06 dated 15.01.2023 registered under Sections 382, 201 and 34 of IPC, 1860 and Sections 25, 27, 54 and 59 of Arms Act, 1959 at P.S. Sadar Kotkapura, District Faridkot.
2. As per allegations, the petitioner along with two other co-accused entered the medical store being operated by the complainant and snatched Rs.40,000/- from his pocket besides one 0.32 Bore revolver.
3. Learned counsel for the petitioner submits that the investigation in the present case stands concluded with the filing of challan and the petitioner has already suffered incarceration for a period of almost 4 months
4. On the other hand, learned State counsel opposes the prayer while submitting that petitioner along with his accomplices forcibly entered into medical store and snatched Rs.40,000/- from the complainant and thus they do not deserve concession of regular bail.

CRM-M-24474-2023

-2-

5. I have heard learned counsel for the parties and gone through the paper-book. I find substance in the submissions made by learned counsel for the petitioner.
6. Considering the fact that the petitioner is behind the bars for a period of almost 4 months and investigation already stands concluded besides the fact that the complainant has even been examined, though out of 14 witnesses, 12 are yet to be examined, thus the trial is likely to take some time, I do not deem it appropriate to extend the incarceration of petitioner. One of the factors which weighed in my mind is the young age of the petitioner and the fact that he happens to be the first offender.
7. In view of the discussions made herein-above, without commenting upon merits of the present petition, the same is allowed. Petitioner is ordered to be released on bail subject to his furnishing of adequate bail bonds/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.
8. However, in case the petitioner indulges himself in similar kind of activity, the prosecution as well as complainant shall be at liberty to seek cancellation of the bail granted in favour of the petitioner in the present case.

24.05.2023
tejwinder

(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>