

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

212

CRM-M No.26114 of 2023 (O&M)
DATE OF DECISION: 21st JULY, 2023

Kuldeep Singh @ Keepa

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Salil Dev Singh Bali, Advocate
for the petitioner.

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RAJBIR SEHRAWAT, J. (Oral)

1. The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.78 dated 04.07.2021 registered under Sections 307, 336, 324, 323, 506, 148, 149 IPC and Sections 25, 27 of Arms Act (Section 302 IPC and Sections 29, 30, 54, 59 of Arms Act were added later on) at Police Station Makhu, District Ferozepur, Punjab.

2. It is submitted by learned counsel for the petitioner that the case against the petitioner is totally concocted. The petitioner is not involved in the crime as alleged against him. Even, as per the story of the prosecution, the petitioner is alleged to have raised only a lalkara. No injury to any person is attributed to the petitioner. The petitioner is in custody since 06.07.2021. Since, the evidence has already been started, therefore, the petitioner is not required for any investigation purposes.

The petitioner is not involved any other case. Therefore, the petitioner deserves to be released on bail pending trial.

3. Notice of motion.

4. Mr. Gurpreet Singh Sandhu, Deputy Advocate General, Punjab with ASI Lakhwinder Singh, accepts notice on behalf of the respondent-State and Mr. Tarun Sharma, Advocate, accepts notice on behalf of the complainant. Custody certificate of the petitioner filed by learned State counsel today in the Court. The same is taken on record. Learned State Counsel, being instructed by ASI Lakhwinder Singh and being assisted by learned counsel for the complainant, submits that the petitioner is involved in the crime directly. He was instrumental in initiating the fight by raising a lalkara. Therefore, the petitioner does not deserve any concession of bail. However, it is not disputed by learned State counsel that the petitioner is not attributed any injury to any person in the crime. It is also not disputed that the petitioner is in custody since 06.07.2021 and that there is no other case pending against the petitioner.

5. In view of the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

21st JULY, 2023
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(RAJBIR SEHRAWAT)
JUDGE

Whether speaking/reasoned: *Yes* *No*

Whether Reportable: *Yes* *No*