

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

CRM-M-55324-2023(O&M)

Date of Decision:12.12.2023

Kuldeep Singh @ Kippi

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Vineet Sachdeva, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 Cr.PC with a prayer to grant regular bail in case FIR No. 98 dated 25.08.2023, registered under Sections 379-B of IPC (Section 201 and 411 of IPC added later on) Police Station Cantt. Ferozepur, District Ferozepur.

2. Learned counsel for the petitioner contends that the alleged occurrence had taken place on 19.07.2023, whereas, the FIR in the present case was registered on 25.08.2023. Even the petitioner has been involved by the complainant due to some previous enmity. Learned counsel further contends that the complainant in the present case is a retired Sub-Inspector from Haryana Police and the story has been coined by him without any justification. Learned counsel further contends that no recovery was effected from the petitioner in the present case and the police has wrongly added the offence under Section 201 IPC. Learned counsel further contends that the petitioner was arrested in the

present case on 30.08.2023 and is in custody since then. After conclusion of the investigation, the challan has already been presented and the Trial Court may take considerable time to conclude the Trial and his further custody will serve no meaningful purpose.

3. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that the one more case has been registered against the present petitioner, however, the petitioner is on bail in said case.

4. I have heard the learned counsel for the parties and perused the case.

5. In the present case, the petitioner is in custody for the last more than 03 months and the final report under Section 173 Cr.P.C has already been presented.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

7. Pending application(s), if any, also disposed off, accordingly.

(N.S.SHEKHAWAT)
JUDGE

12.12.2023
hitesh

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