



In The High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-34928-2024 (O&M)
Date of Decision:- 30.09.2024

Kulwinder Singh alias Kinda ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Prem Kumar, Advocate, for the petitioner.
Mr. Prabhdeep Singh Dhaliwal, AAG, Punjab.

FIR NO.	DATE	POLICE STATION	OFFENCES
75	04.03.2024	City Barnala, District Barnala	379-B, 411 IPC

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed on behalf of the petitioner seeking grant of regular bail in respect of aforementioned FIR.
2. The translated gist of the FIR registered on the statement of Amandeep Kaur is as under:

“She is pursing Ist Semester of B.A. Part-I at S.D. College, Barnala and as usual, she used to come to Barnala to attend the college by



boarding the bus and from bus stand, Barnala, she used to go to S.D. College on foot. On 04.03.2024 at about 1.45 pm, she alongwith Pawanpreet Kaur, daughter of her maternal uncle, was coming from S.D. College, Barnala towards bus stand, Barnala on foot after attending her college and she was talking on her mobile phone. That when they reached near office of Market Committee, Barnala in Grain Market, Barnala, one unknown person riding on motorcycle of blue colour bearing registration no.PB-11AJ-1978 came from back side and snatched her mobile phone make Redmi having SIM No.86990-52815. That when she raised the alarm, some one told from the people gathered on the spot that the snatcher is Kulwinder Singh @ Kinda resident of Tibba Basti, Barnala as he is habitual of committing such like offence.”

3. Learned counsel for the petitioner submits that he has falsely been implicated in the present case and that the petitioner as of now has been behind bars since the last about 6 months and otherwise has a clean record.
4. Opposing the petition, learned State counsel submitted that since the petitioner is specifically named in the FIR and was identified at the spot, his complicity is clearly evident. Learned State counsel has however, informed that the petitioner has been behind bars since the last about 6 months and 21 days and is not involved in any other case. It has also been informed that as on date 1 out of cited 12 PWs has been examined.
5. This Court has considered rival submissions addressed before this Court.



6. Without commenting anything as regards the veracity of the allegations levelled against the petitioner, but having regard to the fact that the petitioner has been behind bars for a substantial period of more than 6 months and otherwise enjoys a clean record, further detention of the petitioner would not be justified particularly when conclusion of trial is likely to consume time. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

30.09.2024
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No