



CRM-M-34837-2024

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203 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-34837-2024
Date of decision:22.11.2024

KANWALJEET SINGH ALIAS KAWALJIT SINGH ALIAS KAWAL

...Petitioner

Versus

STATE OF PUNJAB

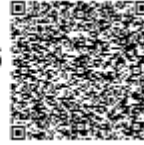
...Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Vikas Gupta, Advocate
for the petitioner.
Mr.Maninder Singh, Sr. DAG Punjab.

SURESHWAR THAKUR, J. (ORAL)

1. Custody Certificate of petitioner has been filed in the Court today and the same is taken on record.
2. Status report by way of affidavit of Gurkirpal Singh, PPS, Deputy Superintendent of Police, Sub Division Patti, District Tarn Taran, on behalf of respondent i.e. State of Punjab has been filed in the Court today and the same is taken on record.
3. The instant petition has been filed under Section 483 of B.N.S.S, wherebys the present bail petitioner seeks indulgence of regular bail.
4. FIR No.14 of 2021, constitutes therein offences under Sections 465, 468, 471, 120-B and 420 of IPC, and, is lodged at Police Station Sadar Patti, District Tarn Taran, therein the, supra offences are attributed to be committed by the bail petitioner.



5. In pursuance to the afore lodged FIR at the Police Station (supra), the bail petitioner is in judicial custody since 23.04.2024. Consequently, through the instant application cast under Section 439 of the Cr.P.C., he claims the relief, for being released from judicial custody.

6. A detailed reply to the instant application has been filed, wherein, it is averred that after completion of investigations into the present FIR, a detailed report under section 173 Cr.P.C, has been instituted before the Trial court concerned. It is also stated in the reply filed by the State of Punjab that all the relevant recoveries have been effected by the present petitioner to the investigating Officer concerned. Consequently, since the investigation is complete and all the recoveries stand effected, as such, the further incarceration of the present applicant, would unnecessarily curtail the personal liberty of the present applicant. Moreover, when the judicial custody of the present petitioner is almost 7 months . Moreover, when no material has been placed on record by the State counsel, suggestive that in the event of the grant of indulgence of bail to the present petitioner, thus he would either flee from justice or would tamper with prosecution evidence.

7. In aftermath, it is not necessary to prolong the judicial incarceration of the bail applicant.

8. Thus, the instant petition is allowed, and, the petitioner-bail applicant is ordered to be released from judicial custody. However, the granting of bail to the bail applicant-petitioner, is subject to his furnishing personal, and, surety bonds in the sum of Rs. 50,000/- each, before the



learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned, and, also subject to his not tampering with prosecution evidence, and, his not influencing prosecution witnesses, and, besides also his appearing before the trial Court concerned, as and when directed to make his personal appearance. Further, subject to petitioner-bail applicant making an undertaking before the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned, that in case, he re-indulges in criminal activities, thereupon, on breach thereof, the order made today, shall remain be *ipso facto* annulled, and, that upon, his being forthwith arrested by the investigating officer concerned, the latter shall produce the petitioner-bail applicant before the trial Court concerned, for the latter making an order for his being put to judicial custody.

9. Copy dasti.

(SURESHWAR THAKUR)
JUDGE

22.11.2024
mahima

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