



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

289

CRM-M-9311-2025 (O&M)
Date of Decision:-22.05.2025

KULVEER SINGH ALIAS SONI

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. P.S. Brar, Advocate for the petitioner.

Mr. K.D. Sachdeva, DAG Punjab.

SANJIV BERRY, J. (ORAL)

1. Reply dated 16.05.2025 filed in the form of an affidavit of Deputy Superintendent of Police, Sub-Division Faridkot, District Faridkot is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.
2. Arguments heard.
3. The instant petition has been preferred by the petitioner under Section 483 BNSS, 2023 for grant of regular bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
98	06.06.2023	379-B, 379, 411, 506, 201, 34 IPC	Sadar Faridkot, District Faridkot

4. It is, *inter alia*, contended by learned counsel for the petitioner



that the petitioner is innocent and has been falsely implicated in this case. He contends that after being arrested in the instant FIR (Annexure P-1), the petitioner was granted the concession of bail vide order dated 05.08.2023, and thereafter he had been regularly appearing in the Court, but due to certain unavoidable circumstances the petitioner could not appear before the trial Court on 27.09.2024, leading to cancellation of his bail and issuance of non-bailable warrants of arrest against him. He submits that the petitioner was again arrested on 20.11.2024, and since then he is in custody. He further submits that the petitioner has undergone sufficient incarceration on account of having absence from the proceedings and he is not having any criminal antecedents, as such, prays for grant of concession of bail to the petitioner.

5. *Per contra*, learned State counsel while referring to the reply filed by the State has opposed the petition on the ground that the petitioner has misused the concession of bail, therefore, he is not entitled to the concession of bail again and prays for dismissal of the petition.

6. After considering the rival contentions and perusing the record, it is observed that the petitioner, after being arrested in the instant FIR, was granted the concession of bail by learned trial Court on 05.08.2023, and thereafter he had been regularly appearing in the trial Court. However, he absented from the proceedings on 27.09.2024, leading to cancellation of his bail and issuance of non-bailable warrants of arrest. Subsequently, the petitioner was arrested on 20.11.2024, and since then he is in custody. Challan has already been presented in the trial Court and the conclusion of trial will going to take sufficient long time to ascertain the criminal liability,



if any, of the petitioner and considering the fact that the petitioner is presently lodged in custody only on account of having absented from the proceedings and the fact that the petitioner has no criminal antecedents, no purpose would be served by detaining the petitioner in custody any longer.

7. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

9. Pending miscellaneous application(s), if any, stands disposed of.

(SANJIV BERRY)
JUDGE

22.05.2025
S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No