

CRM-M-34362-2025

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

CRM-M-34362-2025

Date of Decision: 03.09.2025

KULDIP SINGH ALIAS KEEPA

..... Petitioner

Versus

STATE OF PUNJAB

..... Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. Vinod Kumar Kaushal, Advocate
for the petitioner.

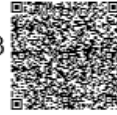
Mr. Rahul Jindal, AAG, Punjab (Through V.C.).

YASHVIR SINGH RATHOR, J. (Oral)

1. This is third petition under Section 439 of Cr.P.C. for grant regular bail in case FIR No.147, dated 22.06.2023, registered at Police Station Maqboolpura, District Police Commissionerate Amritsar, Amritsar, under Sections 341, 379-B(2) and 34 of IPC (offence under Section 411, 201, 324 and 508 of IPC, 1860 added later on).

2. Learned counsel for the petitioner has been heard and material collected by the police during investigation has been perused.

3. The present case was registered on the basis of complaint given to the police by Shankar son of Tarlok Nath with the allegations that on 22.06.2022 at about 12:30 AM, he had gone to railway station to drop two of his factory workers on his activa scooter bearing registration No.PB02EK4232 and while returning, when he reached near vegetable market bridge, he was intercepted by three persons who had kept their



faces covered and were travelling on an activa scooter. The person sitting on the last seat attacked him with his daatar which hit on his helmet and he gave another blow on his right shoulder as a result which he fell down. One of them snatched his scooter, aadhar card, mobile phone, driving license and a sum of Rs.2500/- and they fled away from the spot. During investigation, accused were arrested and challan has been presented for trial of the accused.

4. Learned counsel for the petitioner contended that offence in question was committed by unknown persons. Their physical features, age, complexion and built too have not been mentioned in the FIR. No test identification parade was also got conducted. Petitioner is in custody since 21.08.2023. The investigation has been completed and final report has already been presented. Out of 12 prosecution witnesses, not a single witness has been examined till date. The trial of the case is certainly going to take sufficiently long time to conclude and in these circumstances, further detention of the petitioner is not required and he deserves to be released on bail.

5. On the other hand, learned State counsel has opposed the bail and argued that the petitioner had committed heinous offence. The petitioner is involved in three cases and he is habitual offender is not entitled to concession of regular bail.

6. The offence, in question, was committed by unknown persons. Physical features, age, complexion and built of the offenders have not been mentioned in the FIR. No test identification parade too has been conducted and as such it will be a debatable question during the trial as to whether petitioner was involved in committing the crime or not. The

investigation has already been completed and challan has been presented but not a single witness has been examined till date, despite the fact that challan was presented on 26.10.2023. Petitioner is in custody since 21.08.2023. The trial of the case is certainly going to take sufficiently long time to conclude and in these circumstances, further detention of the petitioner is not required and he deserves to be released on bail.

7. Having regard to the aforesaid factual position, but without commenting anything on the merits of the case, the bail application is allowed and petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

(YASHVIR SINGH RATHOR)
JUDGE

03.09.2025
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No