

IN THE HIGH COURT OF PUNJAB AND HARYANA AT

CHANDIGARH

CRM-M-41572-2015 (O&M)

Date of Decision: December 15, 2015

Lal Chand @ Lally

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr. Rahul Garg, Advocate,
for the petitioner.

Mr. P.S. Ghuman, Addl. AG, Punjab,
for the respondent.

1. *Whether Reporters of local papers may be allowed to see the judgment?*
2. *To be referred to the Reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

NARESH KUMAR SANGHI, J (Oral)

Prayer in this petition, filed under Section 439, Cr.P.C.,
is for grant of bail to the petitioner, Lal Chand @ Lally, son of
Vijay Kumar, resident of WO, Lasuri Mohalla, Basti
Danishmandan, Jalandhar, who has been booked for having
committed the offences punishable under Sections 148 and 307

read with Section 149, IPC, and Section 25 of the Arms Act, 1959, in a case arising out of FIR No. 134, dated 15.7.2015, registered at Police Station, Navi Baradari, Jalandhar.

Learned counsel contends that even if the whole case of the prosecution is taken at its face value, then also it cannot be said that the petitioner was part of the groups which were fighting in front of Maya Hotel; no weapon of offence was recovered from the petitioner despite the fact that he was arrested from the spot and that after completion of the investigation qua the petitioner, he was sent to judicial custody. Similar situate co-accused of the petitioner, namely, Deepak Kumar @ Deepu, Narinder Kumar @ Lali and Vikas Kalyan @ Nannu, have already been granted bail by this Court vide orders dated 22.09.2015, 14.10.2015 and 6.11.2015, respectively.

Learned counsel for the State, after taking instructions from SI Vir Singh, Police Station, Navi Baradari, Jalandhar, and going through the police file, has not controverted the factual aspects raised by learned counsel for the petitioner.

After hearing the learned counsel for the parties and taking into consideration the facts and circumstances of the case, the present petition is allowed. The petitioner, Lal Chand @ Lally,

son of Vijay Kumar, resident of WO, Lasuri Mohalla, Basti Danishmandan, Jalandhar, is directed to be released on bail during pendency of the trial of the present case subject to his furnishing bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Jalandhar.

(NARESH KUMAR SANGHI)
JUDGE

December 15, 2015
Pkapoor