

CRM-M-29180-2016

DECIDED ON: AUGUST 26, 2016

RAKESH KUMAR @ KESHI

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Narinder S. Lucky, Advocate
for the petitioner.

Mr. P.S. Paul, DAG, Punjab.

JASPAL SINGH, J (ORAL)

By virtue of this petition preferred under Section 439 Cr.P.C., petitioner has sought regular bail in case FIR No. 60 dated 29.06.2016 under Sections 307, 341, 148 and 149 IPC, Sections 25 of Arms Act 1959 and Section 21 of NDPS Act, registered at Police Station Lambra, District Jalandhar.

Briefly stated the case of prosecution is that on June 29, 2016 a police party headed by Inspector Inderjit Singh consisting of some other police officials signalled a car to stop upon which petitioner and his companions started firing from their respective weapons and the petitioner managed to escape from the spot. However, other remaining six accused accompanying him were arrested from the spot. However on the same day, petitioner was arrested and when he was subjected to custodial interrogation a .32 bore pistol alongwith three live cartridges of the same bore was recovered from him. Though, various shots are alleged to have been fired upon the police party at the hands of

petitioner and his companions but no injury was suffered by any member of the police party. Since, the date of his arrest i.e. 29.06.2016, petitioner is suffering incarceration. As pointed out by learned State counsel that investigation is still in progress and report under Section 173(2) Cr.P.C. has not been furnished yet.

Thus, in the given circumstances, a case is made out to extend the concession of bail to the petitioner in the instant case.

In the light of afore-said facts and circumstances but without expressing any opinion on the merits of the case, instant petition is allowed and petitioner is ordered to be released on bail at the satisfaction of learned trial Court/Duty Magistrate.

AUGUST 26, 2016
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(JASPAL SINGH)
JUDGE

Whether	Speaking/Reasoned	Yes/No
Whether	Reportable	Yes/No