

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

CRM-M-37960-2019 (O&M)

Date of decision : 12.09.2019

Lakhwinder Singh @ Reetha @ Davinder Singh and others

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Pardeep Kumar, Advocate for the petitioners.

Mr. Bhupender Beniwal, AAG, Punjab.

ANIL KSHETARPAL, J. (ORAL)

Petitioners (three in number) pray for grant of regular bail in FIR No.128 dated 01.06.2019 registered under Sections 458/380/411/323/34 of the Indian Penal Code (Sections 459/325 of IPC added later on) at Police Station Lehra, District Sangrur.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated. They are young boys aged between 18 to 22 years. He further submits that investigations are complete, challan has already been presented and the conclusion of the trial is likely to take time.

On the other hand, learned counsel for the State, on instructions from ASI Harbans Singh, has submitted that after the incident in question, petitioners also tried to break open the lock of branch of Bank but were not successful for which a separate FIR has been registered.

On a pointed question, learned counsel for the State, on instructions from ASI Harbans Singh, admits that petitioners do not have any previous criminal background.

As per case of the prosecution, petitioners had entered house of the first informant-Mithu Singh on the intervening night of 31.05.2019/01.06.2019 and he woke up after hearing the noise and thereafter petitioners attacked him with iron rod and wooden baton.

It has been noticed that initially FIR was registered under Sections 458/380/411/323/34 of IPC and later on offence under Sections 459 and 325 of IPC were added. Petitioners are already in custody for more than 3 months.

Without commenting on the merits of the case and keeping in view the fact that conclusion of the trial of the case is likely to take a long time, the petitioners are directed to be released on bail on their furnishing bail bonds/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

Accordingly, the present petition is allowed.

12.09.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No