

214 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-27289-2022 (O&M)

Date of Decision: 15.02.2023.

LAKHVIR SINGH @ LAKHIRO

... PETITIONER

VS.

STATE OF PUNJAB

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

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

Ms. Ruchika Sabherwal, DAG, Punjab.

VIVEK PURI, J.(ORAL)

The petitioner is seeking regular bail in the case bearing FIR No. 0043 dated 23.03.2022 under Sections 399, 402 IPC and Section 25 of the Arms Act registered at Police Station Nehianwala, District Bathinda.

Custody certificate has been placed on record.

Briefly, as per the allegations of the prosecution, on 23.03.2022, the petitioner alongwith co-accused were apprehended while making preparation to commit dacoity.

Learned counsel for the petitioner contends that one pistol and live cartridge have been recovered from the possession of the petitioner. The co-accused are on bail. The investigation of the case is complete and challan has been presented. The petitioner is in custody for a period of 10 months and 25 days. Though, he is involved in another case under Section 302 IPC but is on bail on that case and it pertains to the year 2017.

Learned State counsel has opposed the bail application and has submitted that four persons were apprehended at the spot and one of the co-accused managed to slip away. The recovery of firearm has been effected from the petitioner.

It has not been disputed that three co-accused are on bail. The recovery of one pistol and live cartridge has been effected from the petitioner. The petitioner is in custody for a period of 10 months and 25 days. The case of prosecution is based upon official witnesses. Investigation of the case is complete and challan has been presented. The conclusion of trial is likely to take some time and no fruitful purpose will be served by detaining the petitioner in further custody.

In these set of circumstances, sufficient grounds are made out to extend the concession of bail to the petitioner. Accordingly, without making any observation on the merits of the case, the present petition is allowed and petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

15.02.2023

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(VIVEK PURI)**JUDGE**

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No