

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-33076-2023

Date of decision: 18.07.2023

Lakhwinder Singh alias Laddi

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Bhavesh Aggarwal, Advocate for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 of the Code of Criminal Procedure, 1973 in case FIR No.04 dated 09.01.2023 under Sections 406, 420, 465, 467, 468, 471 and 120-B of the IPC registered at Police Station Moti Nagar, District Ludhiana City.

2. Learned counsel for the petitioner inter alia contends that the petitioner has been in custody since 11.05.2023 for offences which are triable by Magistrate. It has been submitted that as per the allegations levelled in the FIR which has been annexed as Annexure P-4, the petitioner had posed to be the personal assistant of co-accused Deep Kiran who too was posing to be judicial officer. Learned counsel submits that co-accused Deep Kiran who was posing to be a judicial officer had since been extended the concession of regular bail vide order dated 10.05.2023 (Annexure P-2). Learned counsel submits that the petitioner is not involved in any other criminal case much less a case of similar nature. It has also been submitted that investigation is

complete and after the challan was presented charges have not yet been framed. Hence, further incarceration of the petitioner would be of no avail.

3. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite on instructions from ASI Jatinder Kumar, has not been able to dispute that similarly situated co-accused Deep Kiran had since been extended the concession of bail. It has also not been disputed that the petitioner is not involved in any other criminal case. He, on further instructions, submits that as many as 14 prosecution witnesses have been cited.

4. I have heard learned counsel for the parties and perused the material placed on record.

5. The petitioner has been in custody since 11.05.2023 in a magisterial trial. Co-accused Deep Kiran has already been extended the concession of bail. The trial will take considerable time to conclude since 14 prosecution witnesses have been cited. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

6. Accordingly, the instant petition is allowed. The petitioner be admitted to bail to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

18.07.2023

(MANJARI NEHRU KAUL)
JUDGE

Vinay

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No