

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-2640-2024

Date of Decision:-23.01.2024

Sachin @ Bachi.

.....Petitioner.

Vs.

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Harpreet Singh Multani, Advocate with
Ms. Harpriya Gill, Advocate for the Petitioner.

Ms. Ramta K Chaudhary, Deputy Advocate General, Punjab.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition under Section 439 Cr.PC is for the grant of regular bail in case FIR No.13 dated 17.10.2023 under Sections 25 of the Arms Act registered at Police Station State Crime, Mohali, Punjab.

2. The brief facts of the case are that the petitioner came to be apprehended with 04 country made pistols of .32 bore along with 12 live cartridges. During the course of investigation, he disclosed that he had bought the same from one Sachin Bhiwani @ Sachin Chaudhary, a member of Lawrence Bishnoi gang.

3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. In fact he was a 19 years old boy with only other case pending against him in which he had been granted bail. In fact the recovery had been planted upon him. There was

no evidence that the petitioner was associated with the Lawrence Bishnoi group. As the petitioner was in custody since 17.10.2023 and none of the 07 prosecution witnesses had been examined so far, the Trial of the present case was not likely to be concluded anytime soon and, therefore, he was entitled to the concession of bail.

4. The Counsel for the State on the other hand contends that the petitioner was a part of the Lawrence Bishnoi gang and, therefore, was not entitled to the concession of bail. She however, concedes that the petitioner was in custody since 17.10.2023, none of 07 prosecution witnesses had been examined so far and in FIR No.310 dated 4.9.2023 under Section 148, 149, 323, 341, 506 IPC P.S. Bhawanikhera, District Bhiwani he had been granted the concession of bail.

5. I have heard the learned counsel for the parties.

6. The veracity of the prosecution case against the petitioner and his co-accused shall be adjudicated upon during the course of the Trial. Admittedly, the petitioner is in custody since 17.10.2023 and none of the 07 prosecution witnesses have been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation the further incarceration of the petitioner is not required.

7. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-**Sachin @ Bachi** son of Sh. Ugarsain is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. The petitioner shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform in writing each time that he is not involved in any other crime other than the cases mentioned in this order.

9. In addition, the petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.2,00,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from trial without sufficient cause.

9. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

January 23, 2024
Vinay

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