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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-2673-2024
Date of decision: 24.01.2024

Lakhwinder Singh alias Jinda

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Gagandeep Singh Bajwa, Advocate for the petitioner.

Mr. J.S. Bhandari, AAG, Punjab.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of regular bail in case having FIR No.215 dated 16.08.2023, under Sections 336, 160 of IPC and Section 25/27 of Arms Act (Section 307/148/149 of IPC added later on), at Police Station Jandiala, Tehsil and District Amritsar.
2. Counsel for the petitioner *inter alia* submits that the petitioner has been falsely implicated in the present case and is in custody since 18.09.2023 and no recovery was effected from the petitioner and on completion of investigation, the police has presented the challan and now the matter also stands compromised between the parties. So, prayer is made that the petitioner be granted regular bail in the present case.

3. The present petition is resisted by the State counsel who submits that at the time of occurrence, the petitioner and other accused persons indulged in firing but during investigation no weapon was recovered from possession of the petitioner. The State counsel has not refuted the fact that the petitioner is in custody for the last more than 4 months and that no one sustained injuries at the time of occurrence and further, after completion of investigation the police has presented the challan.

4. I have considered the submissions made by counsel for the parties.

5. Admittedly, this is a case of no injury and further no recovery was effected from the petitioner who is in custody since 18.09.2023 and is presently lodged in judicial custody and on completion of investigation, the police presented the challan but it will take time for trial to conclude. In the given circumstances, no purpose is going to be served by prolonging the judicial custody of the petitioner.

6. In light of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned, if not required in any other criminal case.

24.01.2024

Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No