



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

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CRM-M-34063-2024

Date of Decision: 15.10.2024

Lakhwinder Singh @ Lakhu

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Riffi Birla, Advocate
for the petitioner.

Mr. Inderjeet Singh Ladher, Deputy AG, Punjab.

KARAMJIT SINGH, J.

Prayer in the present petition under Section 439 of Code of Criminal Procedure is for grant of regular bail to the petitioner in case FIR No.14 dated 03.02.2024 registered for the offences punishable under Sections 186, 353, 332, 323, 427, 379-B, 506, 148, 149 IPC (Section 333 IPC and 3 of Damage of Public Property Act, 1984 added later on) at Police Station City Jalalabad, District Fazilka.

2. The FIR in this case was registered on the statement of complainant Harjinder Singh being driver of Punjab Roadways Bus No.PB05-AP-7727 with the allegations that on 03.02.2024 at about 12.30 PM when he alongwith conductor Parshotam Kumar and passengers reached in that bus in the area of Tiwana Chowk FF Road, Jalalabad, there was some traffic jam and as such, he requested one person riding on a motorcycle to move a little ahead but on this, the said motorcyclist got annoyed and called



his friends and started pulling him outside the bus and the said motorcyclist proclaimed himself as Lakhwinder Singh @ Lakhu (present petitioner). The petitioner and his accomplices armed with iron rods etc. started damaging the windowpanes of the bus. The companions of the petitioner dragged the complainant outside the bus and started thrashing him and caused injuries to him. The brother of the complainant namely Balwinder Singh tried to intervene but he also assaulted by the accused persons. When conductor Parshotam Kumar came forward, he was also assaulted by the accused persons, who took away amount of Rs.17-18,000/- lying in the bag of the bus conductor. The petitioner was arrested during the investigation of the case.

3. The counsel for the petitioner inter alia submits that petitioner is falsely implicated in the present case and is in custody for the last more than 8 months and on culmination of investigation, the challan has been presented but it will take time for the trial to conclude. That no fruitful purpose is going to be served by keeping the petitioner in custody for any longer period as other 3 co-accused Ajay Kumar, Akashdeep Singh and Jaswant Singh are already giving benefit of bail by this Court.

4. The present petition is resisted by the State counsel, who submits that the petitioner is the main accused. Petitioner and Co-accused caused injuries to complainant, Balwinder Singh and Parshotam Kumar, bus conductor and they also snatched a cash from the bag of Parshotam Kumar. However, the State counsel has not disputed the fact that during the investigation the petitioner was arrested and got affected recovery of the weapon used in commission of crime and is presently lodged in judicial custody. The challan has been presented but trial will commence only after

the framing of the charges.



5. I have considered the submissions made by the counsel for the parties. During investigation the petitioner was arrested and is now in custody for the last more than 8 months. The recovery of weapon used in commission of crime is affected. On completion of investigation, the challan was filed by the police against the accused persons including the petitioner but charges are still to be framed. It will take considerable time for the trial to terminate even after the framing of charges.

6. It being so, no useful purpose is going to be served by prolonging the judicial custody of the petitioner.

7. In view 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 bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

October 15, 2024
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No