

State Vs Lakhwinder Singh BA 306 2019

Present:- Sh. J.S. Dhillon, Advocate for applicant/accused.
Ms. Neeraj Azad, APP for the State

Police record received. Arguments heard on the bail application filed on the behalf of accused Lakhwinder Singh, wherein it was pleaded that accused is innocent and has been falsely implicated in the present case. He is in judicial lock since 22.03.2019. As such, learned counsel for accused/applicant has prayed for release of accused/applicant on bail.

Notice being served, learned APP for the State, has opposed the bail application on the ground that accused has committed serious offence. As such, prayer for dismissal of the present bail application has been made.

I have heard the contradictory versions of the contesting parties and have deliberated over the arguments advanced in the light of documents, peculiar facts and circumstances and submissions made and gone through the police record.

Police record perused. Accused is in custody in this case since 22.03.2019. No doubt, the offences involved are non-bailable one but the conclusion of trial will take time. Furthermore, recovery if any, has already been effected. Moreover, the presentation of challan and conclusion of investigation will take its own time. Criminality of accused if any is a matter of trial. It is cardinal principle of criminal jurisprudence that accused is presumed to be innocent, until proved guilty. It is rule of criminal law that there should be bail, but not jail. Thus, no useful purpose will be served by keeping the accused behind bars, rather it will be a burden on State Exchequer. As such, the present bail application is hereby allowed and accused is ordered to be released on bail on furnishing bail bonds in the sum of ₹ 70,000/- with one surety each in the like amount. Bail bonds and surety bonds not furnished. Papers be attached with the remand papers.

Date of order: 25.07.2019

Gurpreet Singh Stenographer Grade-III

(Shagun), PCS,
JMIC/Batala,
UID No. PB0419.