

**279 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-38723-2016

Date of decision: November 15, 2016

Sandeep Kumar @ Lala

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Narinder S. Lucky, Advocate
for the petitioner.

Mr. A.S. Sidhu, AAG, Punjab
for the respondent-State.

JASPAL SINGH, J.(ORAL)

Through the instant petition preferred under Section 439 of Code of Criminal Procedure, petitioner has sought bail, during the pendency of the trial, in case bearing FIR No.60 dated 29.06.2016, under Sections 307, 341, 148, 149 IPC and 25 of Arms Act, registered at Police Station Lambra, District Jalandhar.

No doubt the previous petition filed by the petitioner under Section 439 Cr.P.C. was withdrawn by him vide order dated 28th September, 2016 passed in CRM-M-33246-2016. However, since the co-accused of the petitioner has been granted the concession of bail who is similarly situated, instant petition has been moved a fresh.

Admittedly, petitioner was arrested in this case on 29th June, 2016. After subjecting him to custodial interrogation, he was remanded to judicial custody as he was not required by the Police for further interrogation. No doubt, recovery of one pistol along with five live cartridges and one empty cartridge is alleged to have been effected from the possession of the accused but the report of Forensic Science Laboratory is awaited. Although

the firearm is alleged to have been recovered during the course of occurrence, yet, it did not result into infliction of any injury to any person. Moreover, investigation is still pending, as various inquiries regarding the alleged false implication of the petitioner and others are pending before the Senior Police Officers.

In the given facts and circumstances, this Court is of the view that conclusion of the investigation, presentation of challan and disposal thereof, would certainly take sufficient long time and no useful purpose would be served by keeping the petitioner behind the bars for an indefinite period.

Taking into consideration the aforesaid aspects of the case but without expressing any opinion on merits, petition is allowed. Petitioner is ordered to be released on bail on his furnishing requisite bond(s) at the satisfaction of the concerned Chief Judicial Magistrate/Duty Magistrate.

November 15, 2016
m. sharma

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No