

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

CRM No. M-41409 of 2016

Date of decision:- December 02, 2016

OMKAR SINGH @ KALU

....PETITIONER..

VS.

STATE OF PUNJAB

....RESPONDENT..

CORAM:- HON'BLE MR. JUSTICE JASPAL SINGH

Present:- Mr. Jagmeet Singh Moudgill, Advocate,
for the petitioner.

Mr. P.S. Paul, DAG, Punjab.

JASPAL SINGH, J. (Oral)

Through instant petition preferred under Section 439 of the Code of Criminal Procedure (for short, "Cr.P.C."), petitioner-Omkar Singh @ Kalu has sought concession of bail during pendency of trial, in case FIR No. 43, dated 05.04.2016, under Sections 307, 325, 341, 323, 148, 149 and Section 25 of the Arms Act, Police Station Dirba, District Sangrur.

2. Concededly, no specific injury has been attributed to the present petitioner. However, to whom the specific injuries have been attributed, have already been granted the concession of bail by this Court vide separate orders of dated 07.10.2016 passed in CRM-M-25332, 30496 and 25750 of 2016. The case of the petitioner is not on different footings than that of his co-accused. Moreover, the petitioner was arrested on 08.06.2016 and after subjecting him to custodial interrogation, he was remanded to judicial custody. Meaning thereby, he was no more required for

further custodial investigation/interrogation. On conclusion of investigation, challan has already been presented in the Court of 1d. Jurisdictional Magistrate and the trial is listed for prosecution evidence. In the given circumstances, finalization of challan is not possible in a short span of time and will take sufficient long time.

3. Taking into consideration the aforesaid aspects but without expressing any opinion on the merits of the case, the petition is allowed and petitioner is ordered to be released on bail, during pendency of trial, at the satisfaction of trial Court/Duty Magistrate.

December 02, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No