

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

CRM-M- 15494 of 2015

Date of Decision: 18.05.2015

Roop Ram Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:-HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Sant Pal singh Sidhu , Advocate
for the petitioner.

Mr. Varun Sharma, AAG, Punjab.

Mr. Rajesh Kapila, Advocate
for the complainant.

RAJ MOHAN SINGH, J. (Oral)

Petitioner seek regular bail in case FIR No.5 dated 13.01.2015 under Section 304 IPC and under Sections 25, 27, 30, 54, 59 of Arms Act, Police Station Cantt Ferozepur, Distt. Ferozepur.

The FIR in question came to be recorded at the instance of father of deceased Rahul Chatterjee. The son of petitioner and son of complainant both were friends. On the fateful day son of petitioner called Rahul Chatterjee at home for study. Petitioner was at his duty and his wife was also away for some domestic purpose. Two weapons namely .315 bore and .12 bore gun were lying unattended in a box at home along with cartridges. Both the minors took out respective weapons and pointed against each other. One of the weapon i.e .12 bore

gun went off, hitting Rahul Chatterjee on his right flank and pierced through left side of his belly. He was hospitalized by some Army Man. Resultantly, he died on account of said injury.

Learned counsel for the petitioner states that in this unfortunate occurrence, his role is only to the extent that he kept the weapons in box at home and without proper care and precautions. The weapons were kept at a place which was easily assessable to minors. Section 30 of the Arms Act is stated to be bailable offence. The son of the petitioner has already been granted bail by Principle Magistrate, Juvenile Justice Board being a juvenile.

At this stage, this Court is of the opinion that benefit of regular bail can be granted to the petitioner.

Accordingly, this petition is allowed.

Let the petitioner be enlarged on bail, subject to furnishing adequate bail bonds/surety bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Ferozepur.

Nothing expressed hereinabove would be taken to be an opinion on merits of the case.

May 18, 2015
prince

(RAJ MOHAN SINGH)
JUDGE