

262

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-20444-2015
Date of decision : 13.10.2015.

Baljit Singh

... Petitioner

VERSUS

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Jasjeet S. Dhaliwal, Advocate for
Mr. H.S. Brar, Advocate
for the petitioner.

Mr. Jashanpreet Singh, AAG, Punjab.

Mr. A.S. Barnala, Advocate,
for the complainant.

M.M.S. BEDI, J.(Oral)

The petitioner seeks concession of pre-arrest bail in the case registered at the instant of Malkit Singh, alleging that the petitioner had fired three shots from his pistol with an intention to kill the complainant but the complainant escaped from the spot. It is admitted that there is earlier rivalry between the parties on account of a dispute regarding damage to air-conditioner of the petitioner, which was allegedly broken by the father of the complainant on a demand having been raised for ₹ 10,000/- by the complainant. An FIR No.235 dated 31.10.2014 had been registered at the instance of the petitioner under Sections 452, 440, 427, 447, 324, 323, 148 and

149, IPC, against the complainant and six others on 31.10.2014. The petitioner claims that he has been involved in the case as counterblast to the said FIR.

Counsel for the complainant has intervened to oppose the petition for bail contending that the case registered by the petitioner, after investigation, has been found to be a false case, resulting in cancellation report. The said fact has been confirmed by the State counsel on the instruction from ASI-Naib Singh.

I have heard counsel for the petitioner and counsel for the complainant and have gone through the police file and I am of the opinion that on account of previous rivalry, the petitioner is alleged to have fired at, but since it is a case of no injury and the petitioner has already joined investigation, the petitioner can be granted the concession of pre-arrest bail.

The petition is allowed. Interim order dated 25.06.2015 is hereby made absolute subject to all the conditions under Section 438(2) Cr.P.C. with an additional condition that the petitioner will not commit the similar offence of which he is accused of during the pendency of the trial.

October 13, 2015

Ramandeep Singh

(M.M.S. BEDI)
JUDGE