

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

Sr. No. 205

C.R.M-M No.10356 of 2016

Date of Decision : 05.08.2015

Jaspreet Singh @ Jassa

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. I.S. Parmar, Advocate
for the petitioner.

Ms. A.K.Khurana, Addl. A.G., Punjab.

AJAY TEWARI, J. (Oral)

This is a petition for grant of anticipatory bail to the petitioner
under Section 438 Cr.P.C. in case FIR No.220 dated 25.11.2015
registered under Sections 336, 323, 341, 506, 148, 149 IPC and 25, 27,
54 and 59 Arms Act at P.S. Meharban, Ludhiana.

On 28th March, 2016 the following order was passed:

“Prayer is for grant of anticipatory

*bail in case FIR No.220 dated 25.11.2015 under
Sections 336,323,341,506,148,149 IPC
and 25,27,54,59 Arms Act, PS Meharban,
Ludhiana. Petitioner-Jaspreet Singh @ Jassa
and his co-accused Gurpreet @ Bugni have
been booked for allegedly causing injuries to
complainant-Rajinder Singh @ Baaz. Petitioner
alongwith others were alleged to be taking
drinks on roadside and when the complainant
reached near them on his motorcycle they all
encircled him and thereafter caused injuries.*

*It is contended that the role attributed
to the petitioner is of firing a shot from his pistol
which missed the complainant.*

*It is further contended that an
altercation had taken place and a false
allegation of firing a shot has been levelled
against the petitioner to make the offence non-
bailable as rest of the offences are bailable.*

Further submits that injuries suffered by the complainant are simple and co-accused Gurpreet Singh has since been granted anticipatory bail.

Notice of motion for 17.5.2016.

Till the next date in the event of arrest, the petitioner shall be released on bail on furnishing adequate bail and surety bonds to the satisfaction of the Arresting/Investigating Officer/Trial Court. Petitioner shall appear before the I.O., as and when called upon for investigation and shall also be bound by all the conditions stipulated in Section 438(2) Cr.P.C.”

Learned Addl. A.G., Punjab on instructions from ASI Gurdayal Singh accepts that the petitioner has joined the investigation but states that the petitioner has not handed over the pistol.

Learned counsel for the petitioner has stated that the petitioner owns no pistol and even no shell or empty was recovered from

the spot.

Learned Addl. A.G., Punjab on instructions from ASI

Gurdayal Singh accepts these factual assertions.

In these circumstances, I do not deem it appropriate to dismiss
the petition. Resultantly, the petition is allowed. The interim order dated
28.03.2016 is made absolute.

August 05, 2016
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No