

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

CRM-M-35985-2016 (O&M)
Date of decision : 08.12.2016

Nirmal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. APS Sandhu, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

Mr. Kuljit Singh Bal, Advocate,
for the complainant.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking regular bail in cross case in FIR No.171 dated 12.08.2012, registered under Sections 307, 452, 324, 323 and 148 read with Section 149 of the Indian Penal Code; and Sections 25 & 27 of the Arms Act, at P.S. Lopoke, Distt. Amritsar Rural.

Contents that the petitioner is the complainant in the instant FIR. The family of the petitioner was attacked by the opposite party, wherein, grievous injuries were caused to the petitioner-complainant as well as his family members. He further states that the occurrence took place inside the house of the petitioner, which is clearly made out from the inquiry report, Annexure P-7. The petitioner is in custody since 15.07.2016. He further states that four persons from the side of the opposite party were declared proclaimed offenders and only two out of them could be arrested.

ATIL BETHI
08.12.2016
I attest to the accuracy and
authenticity of this document
Chandigarh

On the other hand learned State counsel submits that the petitioner was declared proclaimed offender on 23.11.2013. He could be arrested only on 15.07.2016.

Heard.

As per the report, Annexure P-7, the petitioner is not the aggressor and fired in self defence. Keeping in view the antecedents of the opposite party and without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

However, anything noticed hereinabove shall not be construed as an expression of opinion on the merits of the case.

08.12.2016
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No