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

CRM-M-4243 of 2017

Date of decision: February 09, 2017

Jaswinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. N.S. Dandiwal, Advocate for the petitioner.

A.B. CHAUDHARI, J (Oral)

Rule. Heard forthwith.

Learned counsel for the petitioner fairly stated that pursuant to the order dated 20.01.2017 made by the trial Court in application under Section 319 of the Code of Criminal Procedure, 1973 summoning the petitioner as an accused, he would like to face the trial and therefore, the challenge to the said order is not being pressed. Statement is accepted.

Learned counsel for the petitioner submits that the plea of the petitioner for grant of anticipatory bail has been rejected by the trial Court and therefore, would press for grant of anticipatory bail.

Service is waived of by Ms. Rajni Gupta, Addl. AG Punjab on behalf of the State.

A perusal of the impugned order shows that there is no allegation against the petitioner that he had fired at the person who ultimately died and Amninder Singh who died was due to the shot

fired by Saran Singh and not by the present petitioner. The only allegation against the present petitioner is that he was firing in the air and one shot hit Amninder Singh, poor waiter, during function. In this peculiar fact, I think the petitioner can be granted the relief of anticipatory bail, subject to his surrendering weapon to the police within 3 days from today. If the weapon and licence are not surrendered within 3 days before the police, this order shall come to an end.

In that view of the matter, in the event of arrest, the petitioner shall be released on anticipatory bail on his furnishing bail bonds amounting to ₹10,000/- with one surety of like amount, subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned. The petitioner shall join and face the trial.

Disposed of, accordingly.

(A.B. CHAUDHARI)
JUDGE

February 09, 2017

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No