

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

223

CRM-M-42681 of 2017

Date of decision: December 04, 2017

Vattan Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

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

Present: Mr. Arshdeep Singh Brar, Advocate for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

Mr. H.S. Mavi, Advocate for the complainant.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

Petitioner seeks regular bail in FIR No.4 dated 10.01.2016, under Sections 307, 148, 149 of Indian Penal Code and Sections 25, 27 of Arms Act, 1959, registered at Police Station Harike, District Tarn Taran.

I have perused the FIR carefully. I find that the petitioner had fired a shot but since the complainant sat down, he saved his life. The incident took place because of the hooligans making gesture to the girls and the women in a procession and since they were restrained the incident took place. Obviously, such an activity must be curbed. Then I find as contended by the counsel for the petitioner that the complainant has been entered into compromise with the petitioner-

Vattan Singh at Annexure P-2.

Mr. H.S. Mavi, counsel for the complainant admits that Annexure P-2 has been brought into existence and the compromise has been arrived at between the parties.

Looking to the fact that the complainant has entered into compromise, there is hardly a likelihood of prosecution ending in conviction. But then looking to the nature of the offences committed by the petitioner and fact that the criminal law was set in motion because of the unlawful activities of the petitioner, the petitioner cannot be left easy by granting regular bail without any condition.

Learned counsel for the petitioner makes a statement that the petitioner would deposit an amount of Rs.25,000/- (non-refundable) payable to the SSP/SP, Tarn Taran for being forfeited to the State of Punjab within a period of two weeks from his date of actual release from jail.

With the above said condition, the petitioner is ordered to be released on bail to the satisfaction of the trial Court. The petitioner is directed to surrender his passport with the trial Court, if he possesses the same.

It is made clear that in default of payment to the SSP/SP, Tarn Taran, the police shall be entitled to arrest the petitioner and put him in jail.

(A.B. CHAUDHARI)
JUDGE

December 04, 2017
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Whether speaking/ reasoned: Yes/No
Whether Reportable: Yes/No