

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

Crl. Misc. No.M-46370 of 2016 (O&M)

Date of Decision: August 02, 2017

Balbir Singh

.....PETITIONER(s).

VERSUS

State of Punjab

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Sarbjit Singh, Advocate
for the petitioner (s).

Mr. Ajay Pal Singh Gill, D.A.G., Punjab.

Mr. G.S. Thind, Advocate
for the complainant.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.257 dated 13.9.2016 registered for the offences punishable under Sections 307/354/354-B/353/186/506/34 of IPC and 25 of Arms Act, registered at Police Station Sultanwind, District Amritsar.

Heard.

As per case of prosecution, the petitioner in scuffle with complainant fired shot which hit on the right thigh of complainant. He was arrested on 13.9.2016.

Learned counsel for petitioner submits that the matter has since been amicably settled and in support of his contention he has referred to the

affidavit of injured Jagir Singh (Annexure P3) admitting that the matter has

since been amicably settled. Learned counsel for complainant endorses the submission of learned counsel for petitioner.

Learned State counsel submits that challan has been presented in court and the police has no intimation regarding compromise between the parties.

Keeping in view the submissions of learned counsel for the petitioner, learned counsel for complainant and keeping in view the fact that the parties have settled the dispute amicably, but without expressing any opinion on merits of the case, the present petition is allowed. Petitioner Balbir Singh is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- a. The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- c. He shall not leave the country without the prior permission of the Court.

August 02, 2017
deepak.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***