

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

CRM No. M-4678 of 2017.

Date of Decision: 16.02.2017.

Balbir Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. H.S. Saini, Advocate,
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by ASI Darshan Lal.

JITENDRA CHAUHAN.J.(ORAL)

The present petition has been filed under Section 439 the Cr.P.C seeking regular bail in case FIR No. 48 dated 02.05.2016 registered under Sections 307 read with Section 34 IPC and Sections 25 and 27 of Arms Act, at Police Station Mamdot, District Ferozepur.

It is contended that despite repeated requests made by the petitioner not to play music system on a very high volume as the father of the petitioner was bed-ridden on account of bypass surgery, the complainant kept playing music on a very high volume. The petitioner being concerned with health of his father, disconnected the electricity from the transformer. This act of the petitioner enraged the complainant, who along with 25-30 relatives armed with sticks and sharp edged weapons came to the house of the petitioner and tried to encircle him. The petitioner in order to save himself fired a gun shot in

air to dissuade them. However, when the complainant party was determined to cause injuries to the petitioner, he shot fire in self-defence which pellet hit on Daljit Singh. The petitioner is in custody since 17.05.2016.

On the other hand, the learned State counsel opposes the bail application.

Heard.

It is a moot point to be considered whether the fire was shot in the self-defence or not, challan stands already presented, one prosecution witness has been examined so far, therefore, it can be safely concluded that the conclusion of trial will take a long time so, without commenting on the merits of the case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/duty Magistrate concerned.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

16.02.2017.

SN

(JITENDRA CHAUHAN)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No