

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

**Criminal Misc. No. M-18698 of 2018  
Date of decision: 14.08.2018**

**Balraj Singh**

**..Petitioner**

**Versus**

**State of Punjab**

**..Respondent**

**CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY**

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

Mr. C.L. Pawar, Sr. DAG, Punjab  
for the respondent-State.

Mr. Impinder Singh Dhaliwal, Advocate  
for the complainant.

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**Daya Chaudhary, J. (Oral)**

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to petitioner-Balraj Singh in case FIR No.230 dated 21.11.2017 registered under Section 307 read with Section 34 IPC and Sections 25/27/54/59 of the Arms Act, at Police Station City South Moga, District Moga.

Learned counsel for the petitioner submits that no injury has been caused to the complainant. As per allegations levelled in the FIR, the petitioner has fired shot but on perusal of MLR, it appears that the injury is with blunt weapon. Learned counsel further submits that both the injured have been examined and they have not supported the case of the prosecution. The petitioner is in custody since 17.04.2018 and trial may take some time to conclude. Learned counsel also submits that a compromise has

been arrived at between the parties.

Learned State counsel has not disputed the custody period as well as recording of statement of both the injured witnesses but submits that the compromise arrived at between the parties is not in the knowledge of Investigating Officer.

Learned counsel for the complainant has also affirmed the factum of compromise and submits that the complainant has no objection in case, the petitioner is released on regular bail.

Heard the arguments of learned counsel for the parties and have also perused the contents of FIR as well as other documents available on the file.

Keeping in view the submissions made by learned counsel for the petitioner and the role of the petitioner; the fact that there is contradiction in allegations levelled in the FIR as well as MLR; both the injured witnesses have not supported the case of the prosecution; the petitioner is in custody since 17.04.2018; no purpose would be served by keeping him in custody and the trial may take some time to conclude, this petition is allowed and the petitioner (Balraj Singh) is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court.

**14.08.2018**  
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**(DAYA CHAUDHARY)**  
**JUDGE**

Whether speaking/reasoned

Yes

Whether Reportable

No