

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

205

**CRM-M No. 43390 of 2017
Date of Decision: 21.2.2018**

SATPAL @ PALA RAM

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Lalit Singla, Advocate
for the petitioner.

Mr. Hittan Nehra, Addl., AG, Punjab.

Mr. Akshit Aggarwal, Advocate for
Mr. VPS Mithewal, Advocate
for the complainant.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.203 dated 24.8.2017, registered under Sections 307, 188, 34 IPC and Sections 25, 27 of the Arms Act at P.S. Patran District Patiala.

FIR came to be registered on the statement of injured Rajinder Singh @ Kala with the allegations that he was working as a conductor on a crane of Binder Ram. On 23.8.2017, he had gone to Faridabad to bring a vehicle containing scrap of Lovely. When he came back, his mother told him that their bull had strayed in the fields of the petitioner and when she went to bring him back, the petitioner had given abuses and also

pressed her neck. In the morning at about 9.00 a.m., when the complainant went to the plot of the petitioner to lodge protest, petitioner started abusing the complainant and brought out a double barrel gun. His sons, namely, Nirmal Singh and Gurjit Singh @ Gogi also came there. Petitioner alleged to have fired twice towards the complainant with an intention to kill him and the pellets hit on the person of the complainant. Third fire was made by Gurjit Singh @ Gogi, which also hit the complainant. A cross case under Sections 452, 427 and 34 IPC was also registered against the complainant party.

Evidently, the occurrence took place at the place of the petitioner when the complainant went to his plot to lodge a protest. Injured Rajinder Singh and witness Rishi have not supported the case of the prosecution. According to learned counsel for the petitioner, the parties have re-conciled the issue.

Learned counsel appearing on behalf of the complainant has also endorsed the factum of compromise between the parties.

Learned State counsel, on instructions from ASI Kehar Singh has not disputed the statement of facts made by learned counsel for the petitioner.

In the cross-case, the petitioner's side has also not supported the case against the present complainant. At this stage of grant of bail prima facie I feel that since the injured-

complainant and PW Rishi have not supported the prosecution case and so as the accused party in the cross-case, therefore, it will be just and expedient to grant benefit of regular bail to the petitioner.

Accordingly, this petition is allowed. Let the petitioner be enlarged on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

February 21, 2018
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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned Yes/No
Whether reportable Yes/No