

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

CRM-M-3806-2019

Date of Decision : February 03, 2020

Inderveer Singh		Petitioner
	Versus	
State of Punjab		Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. K.S. Bassi, Advocate for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

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

ARVIND SINGH SANGWAN, J. (Oral)

This is the first petition filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No. 86 dated 12.9.2018 under Section 336 (Section 307, 34 and 201 IPC was added later on) and under Section 27 of the Arms Act registered at Police Station Anaj Mandi, District Patiala.

Counsel for the petitioner submits that initially the FIR was registered under Sections 336 IPC and Section 27 of the Arms Act against petitioner Sewa Singh. Counsel for the petitioner further submits that as per the allegations in the FIR, registered at the instance of complainant-Manpreet Singh when he was going on morning walk and pass the house of Sewa Singh, and petitioner-Inderveer Singh stopped him and petitioner gave fist blows on his face and, thereafter, he brought a rifle and fired on the complainant, however, the same did not hit any person. The counsel for the

petitioner further submits that the Sections 307/34 IPC was added after a gap of two years i.e. on 30.7.2019 and without seeking permission of the Illaqua Magistrate, the petitioner was arrested.

Counsel for the petitioner further submits that the petitioner is in custody for the last about 05 months and he is not involved in any other case.

Learned State counsel, on instructions from ASI Lakhwinder Singh, assisted by the counsel for the complainant, has, however, submitted that as per the version in the FIR, it is the petitioner who opened the fire on the complainant. However, both the learned State counsel and counsel for the complainant did not dispute the fact that no one was injured and Section 307 IPC was added after a period of about 02 years.

Without commenting anything on the merits of the case, considering the aforesaid submissions made by counsel for the parties and also in view the fact that the petitioner is in custody for the last about 06 months, this petition is allowed and the petitioner is directed to be released on regular bail, subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqua Magistrate, concerned.

(ARVIND SINGH SANGWAN)
JUDGE

February 03, 2020
satish

Whether speaking/reasoned : YES / NO
Whether reportable : YES / NO