

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-17137-2020(O&M)

Date of Decision: 17.07.2020

Gurdeep Singh @ Mona

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Navkiran Singh, Advocate for the petitioner.

Mr. Balbir Singh Sewak, Addl. A.G., Punjab.

Mr. Parminder Singh, Advocate for the complainant.

TEJINDER SINGH DHINDSA.J (Oral)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Instant petition has been filed under Section 439 Cr.P.C seeking benefit of regular bail to the petitioner in case FIR No.1 dated 8.1.2020 registered under section 307 I.P.C and sections 25, 27 of Arms Act at Police Station, Division No.2, Jalandhar.

Counsel for the parties have been heard.

FIR came to be registered on the statement of Prahlad in relation to an occurrence that took place on 8.1.2020. As per complainant's version he had an altercation with his wife namely Kiran at about 11.15 AM near Khalsa Dairy, Gopal Nagar, Jalandhar. In the meanwhile, present petitioner came there and sought to intervene. Resultantly, an argument ensued between the complainant and the petitioner whereupon the petitioner allegedly took out a revolver and fired a shot which hit the complainant on

his left leg.

Petitioner was arrested on 8.1.2020 itself.

Challan has been presented.

At this stage, counsel representing the petitioner submits that both the parties live in the same neighborhood and with the intervention of the respectables and elders a compromise has been effected between the parties. In support of such contention counsel has even referred to an affidavit at Annexure P-3 of the complainant Prahlad as also a compromise deed at Annexure P-4.

At this stage, Mr. Parminder Singh, Advocate has also joined proceedings and enters appearance on behalf of the complainant. He admits that a compromise has been thrashed out and that the complainant would not be supporting the prosecution version.

Petitioner has already faced incarceration for a period of more than six months.

In view of the peculiar circumstances noticed herein above, his further incarceration in the considered view of this Court would not be justified.

Accordingly, instant petition is allowed.

Petitioner be enlarged on bail subject to satisfaction of the Trial Court/Duty Magistrate, Jalandhar.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

17.07.2020

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Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No