

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

CRM-M-1981-2021(O&M)

Date of decision: 19.01.2021

Tarsem Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

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

Mr. Randhir Singh Thind, DAG Punjab.

Mr. H.S. Randhawa, Advocate for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 251 dated 25.10.2020 registered under Sections 307, 34 IPC and Section 25 of the Arms Act, 1959, at Police Station Dasuya, District Hoshiarpur.

Learned counsel for the petitioner states that the present FIR has been lodged by complainant-Harleen Singh Chahal. The petitioner is 67 years old and has falsely been implicated in the present case. The rifle of the petitioner was snatched by his son Lovepreet Singh @ Raja from him and fired on the complainant and his mother. No shot was fired by the petitioner and no injury has been attributed to him. A compromise has been effected

between the parties on 15.01.2021. The petitioner has been in custody since 26.10.2020.

Copy of compromise dated 15.01.2021 effected between the parties, submitted by the learned counsel for the petitioner through email is taken on record.

Copy of custody certificate by way of affidavit dated 18.01.2021 of the Deputy Superintendent, Central Jail, Kapurthala, submitted by the learned State counsel through email, is taken on record.

Learned State counsel has not disputed the fact regarding the custody period of the petitioner and further states that challan has been presented.

At this stage, Mr. H. S. Randhawa, Advocate, appears and files power of attorney on behalf of the complainant through email, the same is taken on record. He does not dispute the factum of compromise.

I have heard the learned counsel for the parties.

As per the allegations, the petitioner came with a 12 bore single barrel rifle along with his son Lovepreet Singh @ Raja, to teach lesson to the complainant party and after snatching the rifle from the petitioner, Lovepreet Singh @ Raja fired a shot with the intention to kill the complainant and his mother. No injury has been attributed to the petitioner and he is 67 year old. Moreover, the compromise has been effected between the parties.

The petitioner has been in custody since 26.10.2020. Challan has been presented. The trial will take time to conclude and no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

19.01.2021
Mangal Singh

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