

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

206-1

CRM-M-4429-2021

Date of Decision:06.09.2021

AMRIT SINGH MINOR AND ANOTHER

...PETITIONERS

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Ms. Jasneet Mehra, Advocate for the petitioners.

Mr. Sandeep Singh Deol, DAG, Punjab.

SUVIR SEHGAL, J.(ORAL)

Heard through video conferencing.

Through the instant petition under Section 438 of Code of Criminal Procedure, 1973, the petitioners seek anticipatory bail in case FIR No.116 dated 11.05.2020, registered under Sections 307, 323, 148, 149 IPC, 1860, and Sections 25 and 27 of the Arms Act, 1959, at Police Station Sadar Patti, District Tarn Taran.

On 18.02.2021, this Court passed the following order:-

“The case has been taken up for hearing through video conferencing.

CRM No.4559 of 2021

In compliance of order dated 05.02.2021, present application has been filed for placing on record copy of birth certificate of petitioner No.1 and Aadhar Card of petitioner No.2.

Perusal of aforesaid documents would show that date of birth of petitioner No.1 is 05.09.2003 and date of birth of petitioner No.2 is of the year 2004.

For the reasons mentioned in the application, accompanying documents are taken on record, subject to just exception.

Application stands disposed of.

Main case

Learned counsel for the petitioner submits that petitioners are minors.

As per allegations in the FIR, accused pelted brickbats upon the complainant. Offence under Section 307 IPC is attributed to Major Singh, who is alleged to have fired from his licensed .12 bore barrel gun.

The parties have entered into a compromise. Factum of compromise has already been admitted by Mr. Parveen Chauhan, learned counsel for the complainant in CRM-M No.29505 of 2020 titled 'Surjit Singh and others vs State of Punjab'. Even petition for quashing of FIR and GD No.17 dated 27.08.2020 on the basis of compromise is pending in the High Court and the same is fixed for 18.05.2021. Petitioners in CRMM No.29505 of 2020 were allowed to join investigation vide order dated 13.01.2021.

Notice of motion for 18.05.2021.

Till the next date of hearing, arrest of the petitioners shall remain stayed.”

Learned State counsel on instructions from SI Nirmal Singh, states that both the petitioners, who are minors, had joined the investigation when they had filed petitions seeking anticipatory bail before the Sessions Court and they are no longer required for custodial interrogation.

In view of the said facts, without commenting on the merits of the case, the present petition is allowed and the order dated 18.02.2021 is made absolute.

06.09.2021
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(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No