

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

CRM-M-29095-2021

Date of decision:12.08.2021

Swaran Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. M.S. Joshi, Advocate for the petitioner.

Mr. Avtar Singh Sandhu, Addl. A.G., Punjab.

Mr. B.P.S. Virk, Advocate for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Status report, by way of an affidavit dated 10.08.2021 of Deputy Superintendent of Police, Circle Samana, District Patiala, along with Annexures R-1/T and R-2/T, filed in the Court, is taken on record. Copy of the same has been supplied to learned counsel for the petitioner.

Through this petition under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in case bearing FIR No.148 dated 13.06.2021 registered under Sections 341, 323, 447, 336, 356, 506, 34 IPC and Sections 25/27 of the Arms Act at Police Station Samana, District Patiala.

Learned counsel for the petitioner submits that the petitioner is a Government employee, who is 20% handicapped; that all the alleged injuries attributed to the petitioner, on the person of the complainant and his son, have been declared simple in nature; that it is a case of version and cross-versions; that all the offences, except the offence under the Arms Act, are bailable. It is further stated that the statement of the petitioner was

recorded on the date of occurrence, i.e., 13.06.2021 and still he is ready to join the investigation.

Learned State counsel, assisted by learned counsel for the complainant, submits that the petitioner has been attributed a head injury to the son of the complainant. The petitioner snatched the licensed revolver from the pocket of the complainant and fired two shots in the air.

I have heard learned counsel for the parties.

Keeping in view the facts and circumstances of the present case and without expressing any opinion on the merits of the case, this Court finds merit in this petition and the same is allowed. The petitioner is directed to join the investigation as and when called upon to do so and if he is sought to be arrested, he shall be released on anticipatory bail to the satisfaction of Investigating Officer/Arresting Officer, subject to the conditions as envisaged in Section 438(2) of the Code of Criminal Procedure.

It is made clear that if pursuant to and in compliance with this order, the petitioner does not cooperate with the investigating agency, the investigating agency would be liberty to move an appropriate application for cancellation of bail.

12.08.2021
ishwar

(HARNARESH SINGH GILL)
JUDGE

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