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

CRM-M-23241-2022 (O&M)

Date of decision:05.08.2022

TARSEM LAL

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Vishal Goel, Advocate
for the petitioner.

Mr. M.S. Nagra, Asst. A.G. Punjab

SURESHWAR THAKUR, J. (ORAL)

1. The instant petition has been filed under Section 439 of Cr.P.C., where through the present bail petitioner seeks indulgence of regular bail being accorded to him. FIR No.48 of 20.03.2022, constitutes therein offences under Sections 307, 336, 323 of IPC, and, under Section 27 of Arms Act, and, is lodged at Police Station Civil Lines Patiala, District Patiala, therein the commission of the incriminatory offences are attributed to the bail petitioner.

2. The relevant incident occurred, on 20.03.2022, at about 06:00 p.m., and, the occurrence happened, at the shop of the victim-complainant one, Bikram Singh.

3. It is narrated in the FIR that, at the crime site, the accused one Tarsem Lal arrived there, on his white Scorpio car, and, after his taking out his revolver from his car, his taking to fire shots in the air, and, also his taking to fire, on the wrist of the left arm of the complainant. Furthermore, it is also

narrated in the FIR that, the present bail petitioner took hammer from the shop of the complainant, and, struck it on the thigh of his left leg. It was on account of the intervention of the grandson of the complainant that, the assault could not take any lethal effect.

4. The learned State counsel on instructions give to him, by ASI Gurdev Singh submits that, that during the course of the custodial interrogation of the present bail petitioner, he has ensured his making recovery of the crime pistol, to the investigating officer concerned, besides also submits that, the condition of the victim-complainant is completely stable. He also further submits, that the investigations into the petition FIR are complete, thereupon, since the judicial incarceration of the accused has commenced since 20.03.2022, hence this Court does not deem it fit, and, appropriate to prolong it any further, as thereupon his personal liberty would become unnecessarily fettered, and, curtailed.

5. The further reason which constrains this Court, for admitting the present bail petitioner to regular bail becomes comprised in the factum that, in pursuance to the directions made by this Court, in a compromise based quashing petition, the victim-complainant Bikram Singh, has recorded his statement, before the learned trial Magistrate concerned, wherein he has stated that he has drawn a compromise in respect of the crime event, with the present bail petitioner.

6. If so, and, also when at this stage, no evidence has been adduced by the prosecution, suggestive that in the event of the bail petitioner being admitted to regular bail, there is every likelihood of his fleeing from justice or tampering with prosecution evidence or influencing the prosecution witnesses.

7. Consequently, it is not necessary to prolong the judicial incarceration of the bail petitioner-applicant. The instant petition is allowed, and, the bail petitioner-applicant is ordered to be released from judicial custody. However, the granting of bail to the bail petitioner-applicant, is subject to his furnishing personal, and, surety bonds in the sum of ₹50,000/- each, before the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned, and, also subject to his not tampering with prosecution evidence, and, his not influencing prosecution witnesses, and, besides also his appearing before the trial Court concerned, as and when directed to make his personal appearance unless validly exempted.

8. Pending miscellaneous application(s), if any, stand(s), disposed of.

9. Copy dasti.

05.08.2022

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(SURESHWAR THAKUR)
JUDGE

Whether speaking/reasoned:-	Yes/No
Whether reportable:	Yes/No