

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

CRM-M-35804 of 2022 (O&M)

DECIDED ON: 22nd August, 2022

Parminder Singh @ Parvinder Singh

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Kamal Narula, Advocate for petitioner.

Mr. Sandeep Kumar, DAG Punjab.

AVNEESH JHINGAN, J (ORAL)

Petitioner is seeking regular bail in case of FIR No.91 dated 7.8.2021, under Sections 307, 323, 506 IPC, 1860, and Section 25, 27 of Arms Act, registered at Police Station Kulgari, District Ferozepur.

As per the case set up, FIR was got registered by Dharminder Singh. He alleged that on 6.8.2021, complainant along with others were constructing the roof of the house of his uncle Nishan Singh and Jagtar Singh (uncle of the complainant) started abusing. There was an altercation. Parminder Singh son of Jagtar Singh was called at the spot. In the meantime, two sons of Jagtar Singh, namely Ravinder Singh and Parminder Singh came there. Jagtar Singh fired a shot which hit the ribs of the complainant and bullet injury was sustained by the brother of the complainant. The role attributed to the petitioner is that from the pistol of his father he fired three-four shots in the air.

Learned counsel for the petitioner submits that the earlier petition for regular bail was withdrawn on 5.1.2022 as the complainant was yet to be examined, *inspite of* passing of more than seven months, till date charges have not been framed. He submits that the petitioner is in custody since 7.8.2021, no recovery is to be made from him and he is not involved in any other case.

Learned State counsel opposes the prayer and submits that the complainant and accused are relatives. There are two gun shots injuries. However, on instructions from ASI Raaj Singh learned State counsel submits that no gun shot injury is attributed to the petitioner.

Without commenting upon the merits of the case, considering the nature of allegations against the petitioner, no recovery is to be made from the petitioner, the petitioner has no criminal antecedents and though investigation is complete conclusion of trial is likely to take time, bail is granted to the petitioner on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

Since the main case has been decided, the pending application, if any is rendered infructuous.

22nd August, 2022

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(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned *Yes*

Whether reportable *No*