

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

CRM-M-39834-2021 (O&M)

Date of decision: 20.04.2022

Gursharan Singh @ Gora @ Gursharandeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Jashandeep Singh Sandhu, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 0226 dated 22.08.2020, registered under Sections 307, 452, 506, 148, 149, 120-B, 336, 188 of the IPC, 1860; Sections 25, 27 and 30 (added later on) of the Arms Act, 1959; Section 51 of the Disaster Management Act, 2005 and Section 3 of the Epidemic Diseases Act, 1897 at Police Station Kotbhai, District Sri Muktsar Sahib, Punjab.

Vide order dated 25.10.2021, the petitioner was granted the concession of interim bail by passing the following order:

“...Learned counsel for the petitioner submits that as per allegations in the FIR, the son of the complainant namely Jeon Singh @ Jiwan was married with Gulpinder Kaur @ Gopi, daughter of Gurdeep Singh and a daughter was born out of this wedlock. Later on, a matrimonial dispute arose between the son of the complainant and his daughter-in-law namely Gulpinder Kaur and a divorce petition was filed

before the competent Court of law. It is further alleged that on 22.08.2020, petitioner along with other co-accused, threatened the complainant and his family and fired upon the victim with intention to kill him and caused injuries and there was some pressure to get the matter compromised.

Learned counsel for the petitioner further submits that the matter has been amicably settled between the parties and a petition under Section 13(b) of the Hindu Marriage Act, 1955 has been filed in which the proceedings under the first motion have already been concluded and the case is now fixed for 24.01.2022 for the second motion. This fact is not disputed by the learned counsel for the complainant, however, it is submitted that the petitioner may be granted interim bail so that he may not misuse the same till the time the second motion proceedings are concluded.

List again on 17.02.2022.

In the meantime, the petitioner is ordered to be released on interim bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned.”

Learned counsel for the petitioner submits that subsequent to passing of the aforesaid order, the statement of second motion has already been recorded in the petition filed under Section 13-B of the Hindu Marriage Act.

Learned State counsel has filed the custody certificate and has not disputed the factual position.

In view of the same, the present petition is allowed and the order dated 25.10.2021, granting concession of interim bail to the petitioner, is hereby made absolute.

20.04.2022

Waseem Ansari

*Whether speaking/reasoned
Whether reportable*

**(ARVIND SINGH SANGWAN)
JUDGE**

*Yes/No
Yes/No*