

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

**CRM-32341-2023 in/and
CRM-M-12454-2023 (O&M)
Date of decision : 07.08.2023**

AJAY KUMAR ALIAS SAJAN ALIAS TEELA

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Ankit Kharbanda, Advocate
for the applicant/petitioner.

Mr. Amit Shukla, AAG, Punjab.

PANKAJ JAIN, J. (ORAL)

CRM-32341-2023

This is an application for placing on record the compromise deed dated 18th of September, 2021 marked as Annexure P-5.

For the reasons mentioned in the application, the same is allowed. Compromise deed marked as Annexure P-5 is taken on record subject to all just exceptions.

CRM-M-12454-2023

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.107 dated 26th of August, 2019 registered for the offences punishable under Sections 307, 452, 427, 506, 201, 148 and 149 of the Indian Penal Code and Section 27 of Arms Act, 1959, at Police Station Majitha Road, Amritsar.

2. Mr. Amandeep Singh, Advocate appears and files his power of

attorney on behalf of the complainant, today in Court. The same is taken on record.

3. As per the allegations levelled in the FIR it has been alleged as under :

“xxx I am the resident of the above said address and today on 25-08-19 we the entire family were asleep on the terrace. Time was around 2:30/03:00 AM night that suddenly on hearing the commotion in our street in the front of our door we the entire family woke up and in the street by taking the name of our family Manga and Mandeep to come outside, today lesson should be taught to you for holding grudge with us and we saw that 1) Sunny Paddarh S/o Surjit Singh resident of Sanjay Gandhi Colony, FGC Road, ASR 2) Bablu Godha resident of Sanjay Gandhi Colony 3) Sajan Teela S/o Ashok Kumar resident of Sanjay Gandhi Colony 4) Chainchal Kalu S/o Billa Rikshaw Wala resident of Gali Mandir Wali Sanjay Gandhi Colony Fatehgarh Churian Road, ASR and along with them Surjit Singh the father of Sunny resident of Sanjay Gandhi Colony and Billa the father of Chainchal Kalu and Kamal Kumar the father of Bablu Ghoda and along with them total 5-6 unknown persons were there who started calling names after standing in our street and when we after opening the door of our house were going to ask that why you are calling names to us then Chainchal Kalu fired 2-3 shots towards our house from the pistol which he was holding in his hand and Sajan Teela with an intention to kill gave the blow of the Kirpan which he was holding in his hand upon us which I saved with great difficulty after moving inside my gate and saved myself and Sanjay Paddarh with an intention to kill gave the blow of the datar which he was holding in his hand upon my head which landed upon our gate with which the sheet of our gate got torn and Bablu Godha while exhorting lalkara shouted get hold down them today they should not be spared lesson should be taught to them for holding grudge with us and Surjit Singh father of Sunny and Billa

the father of Chainchal Kalu and Kamal Kumar the father of Bablu Godha together started calling names to us and all these persons and unknown persons who came along with them after forcibly entering into our house out of the articles kept in our house damage the fridge, cooler, washing machine and other necessary articles of the house and caused great loss to the house which me and my family member have saved our life from them with great difficulty. Which Chainchal Kalu with an intention to kill me fired directly towards me with pistol which he holding in his hand and Sajan Teela and Sunny Paddarh also with an intention to kill me have given direct blow upon me with their weapons and Ashok Kumar the father of Sajan Teela together with them was calling names which we raised alarm Maar Ditta Maar then all these went from the spot along with their respective weapons while hurling life threats to us. Which we being afraid of them oscillated from the house that they again after arriving do not inflict injuries to us.”

4. Counsel for the petitioner relies upon orders passed in CRM-M No.20396 of 2020, CRM-M No.22280 of 2020 and CRM-M No.42166 of 2020 whereby co-accused namely Prabhjot Singh @ Sunny Paddarh, Chainchal Athwal @ Kala and Bablu @ Bablu Ghoda have been granted concession of regular bail, respectively.

5. Counsel further relies upon the fact that the parties have now compromised the matter and the version as well as the cross-version now stands compromised.

6. The aforesaid fact is not denied by the counsel representing the complainant.

7. I have heard counsel for the parties and have gone through

records of the case.

8. In view of the above, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.
9. Needless to say that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.
10. Pending application, if any, shall also stand disposed off.

August 07, 2023
Dpr

(Pankaj Jain)
Judge

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