

2024:PHHC:076186



S. No.109+208

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

CRM-M-8553 of 2024 (O&M)

Date of Decision:28.05.2024

Avtar Singh @ Tara

.....Petitioner

Vs.

State of Punjab and another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Charanpuneet Singh, Advocate for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

Mr. Saksham Parmar, Advocate for the complainant.

DEEPAK GUPTA, J. (Oral)

CRM No.19513 of 2024

This is an application moved by the applicant- petitioner to implead complainant of the case as respondent No.2, and also to place on record copy of the compromise as Annexure P.3, translated copy of the affidavit and Aadhar Card as Annexure P.4.

Learned counsel contends that the matter has since been compromised and therefore, it is necessary to implead complainant of the case as a party to the petition.

Notice in the application.

Mr. Sahil R. Bakshi, AAG, Punjab, accepts notice on behalf of the respondent- State. Learned State Counsel has no objection.

Application is allowed. Annexures P.3 and P.4 are taken on record. Complainant of the case i.e. Gurpreet Singh son of Gurnam Singh, is permitted to be impleaded as respondent No.2.

Amended Memo of Parties is taken on record.

Mr. Saksham Parmar, Advocate has put in appearance on behalf of the complainant.

Application stands disposed of.

CRM No.19514 of 2024

This is an application for preponment of the date of hearing in the main case.

Disposed of as having become infructuous.

CRM No.19515 of 2024

By way of present application, applicant- petitioner prays to amend the headnote and prayer clause of the petition so as to insert Section 120-B IPC.

Learned counsel contends that Section 120-B IPC has been added later on and, therefore, it is necessary to amend the headnote and prayer clause of the petition.

Notice in the application to respondent- State.

Mr. Sahil R. Bakshi, AAG, Punjab, accepts notice on behalf of the respondent- State. He has no objection in allowing the application.

Application is allowed. Section 120-B IPC is permitted to be inserted in the headnote as well as in the prayer clause of the main petition i.e. CRM-M-8553 of 2024.

Registry is directed to carry out the necessary correction.

CRM-M-8553 of 2024

By way of present petition filed under Section 439 Cr.P.C., petitioner prays for grant of regular bail in case FIR No.215 dated 12.11.2023 registered under Sections 307, 120-B, 506 IPC and Sections 25 and 27 of Arms Act at Police Station City Rampura, District Bathinda.

As per allegations, petitioner was driving a Corolla Car on 11.11.2023, when he took a sharp turn and sped away. Complainant Gurpreet Singh along with Jagdeep Singh followed him and confronted. It is alleged that petitioner fired three shots, two in the direction of the feet of the Jagdeep Singh and one in the direction of the complainant. On the complaint of Gurpreet Singh, FIR was registered. Petitioner was arrested and a pistol of 9 mm was recorded from him.

Learned counsel contends that the petitioner is in custody for the last more than six months; that nobody was injured in the incident; that matter has since been compromised amongst the parties vide Annexure P.3; that petitioner is not involved in any other case and so, he be allowed bail.

Learned counsel for the complainant concedes the factum of compromise. He has no objection to grant bail to the petitioner.

Learned counsel submits that a separate petition bearing CRM-M-23216 of 2024 has already been filed before this Court for quashing of the FIR in question on the basis of the compromise, in which this Court had given direction to the parties for appearing before the trial Court/Area Magistrate for getting their statements recorded on the basis of compromise vide order dated 09.05.2024. Copy of that order has also been placed on record.

Learned State Counsel does not dispute the factual position.

Having regard to all the afore-said facts and circumstances of the case, but without commenting anything further on the merits of the case, the present petition is allowed. Petitioner is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/ Duty Magistrate, on usual terms and conditions.

May 28, 2024
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No