

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

Date of Decision: 22.08.2024

...Petitioner

VS.

...Respondent

Ms. Sheenu Sura, DAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, with a prayer to grant anticipatory bail to him in case FIR No.105 dated 24.07.2024, registered under Section 109(2)A of Bharatiya Nyaya Sanhita and Section 25 of Arms Act, at Police Station Rori, District Sirsa.

2. The FIR in the present case was registered on the basis of the statement made by Raj Singh son of Harbans Singh, resident of village Kuranganwali, District Sirsa and the same has been reproduced below:-

“It is stated that I am resident of above mentioned address and working as a laborer and we are three sisters and brothers. Yesterday, on 23.07.2024, when I was sleeping in my house at night, Harpreet Singh, son of Bahadur Singh, caste Jat Sikh, resident of Kurangawali and 3-4 other persons, while going in front of our house, abused us and went away. Then today on 24.07.2024, I and my brother Jasdeep Singh



were going to the fields on my motorcycle and on the way we had a scuffle with Harpreet Singh, who took out a pistol from his dub and fired two shots at me and my brother and after that, he ran away from the spot and he fired with the intention to kill us. Legal action should be taken against him. I have got recorded my statement to you, heard it and it is correct. Sd/-Raj Singh; Attested Mahinder Singh ESI/ASI PS Rori Dt: 24.07.24.”

3. Learned counsel for the petitioner submits that the petitioner has been falsely involved in the present case. He further contends that in the present case, even though, it has been alleged that the shots were fired from the pistol, but no one was injured in the present case. He further contends that a compromise deed (Annexure P-1) has already been executed between the parties on 09.08.2024 and the complainant has settled all the disputes with the petitioner in the present case.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

5. I have heard learned counsel for the parties and perused the record.

6. In the present case, vide compromise deed dated 09.08.2024 (Annexure P-1), the matter has been amicably resolved between the parties. Further, no one was injured in the present case.

7. Without commenting any further on the merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Section 438(2)



of the Cr.P.C. It will be open for the Investigating Officer to call the petitioner to join investigation, if so required, by issuing a written notice in this regard and he shall abide by the conditions mentioned in Section 438(2) of the Cr.P.C.

22.08.2024.
hemlata

(N.S.SHEKHAWAT)
JUDGE

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