



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-55596-2024
Date of Decision:08.11.2024

Surjeet Singh ...Petitioner

vs.

State of Punjab ...Respondent

Coram : Hon’ble Mr. Justice N.S.Shekhawat

Present : Mr. Ranbir Singh Sekhon, Advocate
for the petitioner.

Mr. Deepinder Singh Brar, Sr. DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 482 of B.N.S.S with a prayer to grant anticipatory bail to him in a case bearing DDR No. 31, dated 20.11.2023, under Sections 323, 324, 326, 341, 148, 149 of IPC and under Section 25/27/54/59 of Arms Act (Annexure P-2), Police Station Fatehgarh Panjtoor, District Moga, recorded in FIR No. 71, dated 18.11.2023, under Sections 325, 323, 427, 148, 149 and 506 of IPC, registered at Police Station Fatehgarh Panjtoor, District Moga (Annexure P-1).
2. Learned counsel for the petitioner contends that the occurrence had taken place all of a sudden and there was no mens rea on the part of the petitioner to commit the crime. He further contends that it is a case of version and cross-version and both the sides had suffered injuries in the occurrence and the question of aggressor is yet to be adjudicated by the Trial Court, during the course of trial. Moreover, the learned counsel has placed reliance on the

compromise (Annexure P-3) to contend that the matter has been amicably resolved between the parties. He also placed reliance on the order dated 23.10.2024 (Annexure P-5) passed by this Court in CRM-M-52738-2024, whereby the concession of anticipatory bail has been granted to co-accused namely Inderjit Singh.

3. 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 anticipatory bail by this Court.

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

5. It is not in dispute that that the similarly placed co-accused namely Inderjit Singh has been granted the concession of anticipatory bail by this Court. Moreover, the parties have amicably resolved all their disputes vide compromise (Annexure P-3). Thus, in the considered opinion of this Court, the custodial interrogation of the petitioner will not be required at this stage and no purpose will served by sending the petitioner behind the bars.

7. Thus, without commenting on the merits of the case, the present petition is allowed and the petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Sections 482 (2) of B.N.S.S. It will be open for the Investigating Officer to call the petitioner to join the investigation, if so required, by issuing a written notice in this regard and he shall abide by the conditions mentioned in Section 482 (2) of B.N.S.S.

08.11.2024
hitesh

(N.S.SHEKHAWAT)
JUDGE

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