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2025:PHHC:002183



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

**CRM-M-64363-2024
DECIDED ON: 10.01.2025**

RAJAN SINGH @ HONEY

....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Sumit Dua, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1. Relief sought

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No.126, dated 26.09.2024, under Sections 109, 351(2), 191(3), 190 of BNS, 2023 and Sections 24 & 25 of Arms Act, 1959, registered at Police Station City Patti, Tarn Taran.

2. Prosecution story setup in the present case as per the version in the FIR as under:-

“Statement of Tejpal Singh son of Manjit Singh resident of Ward No. 5 Bhullar Colony Patti, Tarn taran aged about 25 years 987749696, I have stated that I am a reside of the said address and running a welding shop at Tarn Taran Road Patti. On dated 25/9/2024, it will be time will be around 10:15 PM that I and my brother Gurpreet Singh was standing on Kandyala Road with my friend in front of Amardeep Palace. Then a Honda amaze car come from kandyala side in which Honey, Siva and 2 other boys whose names i don't know came along with them and Honey was driving the car. I said to him that why are beating Horn? Honey abused

me and took the car away and after about 15 minutes which would be around 10:30 PM that he was standing there talking with his friend, then again a xylo car came, in which Goli a Raja son not known resident of Kasmir Colony armed with Pistol, Billa @ Hiddi son of not known Basti Dhara Singh armed with Pistol, Goli @ Raja son of not known resident of Chathua Wala armed with Pistol, Honey son of know not resident of Kasmir Colony empty hand, Shiva son of not known resident of Kasmir Colony with empty handed and 2-3 unidentified persons came and as soon as they came Billa @ Hiddi fired the pistol directly at me with the intention of killing me, the pistol fire hit my left thigh and I fell down and Shiv beat me with Kada. Then my brother came forward to rescue me, then Gauri Son of unknown resident of Chathua Mohalla, fired the pistol with the intention of killing my brother. Goli@ Raja Son of not known resident of Kasmir Colony Patti, shot my brother from pistol, the fire hit my brother's left foot and Honey hit me on my left side chest with a stick. They attacked on me and I was seriously injured. We raised alarm that we have been killed. Then our friends rescued us from them with great difficulty. They got into their vehicle and ran away, then our friends and my brother Kulwinder Singh picked us up from there and arranged a ride and brought us to Guru Nanak Dev Hospital where I and my brother Gurpreet Singh were treated. The grievance is that Honey came to us and honked the horn of the vehicle, I stopped him, so they opened fire with the intention of killing us. Legal action should be taken against this case and justice should be given to us. You are very kind. I have written a statement to you. It is good to hear. SD/Tejpal Singh, corifimed statement-Gurpreet Singh, verified contact- Gurmeet Singh AS, Police Station City Patti, dated 26-09-2024 Action Police-Today, dated 26-9-2024. ASI was present at the police station, then Chief Munshi The police station noted that a telephone call was made to Guru Nanak Dev Hospital Tarn Taran got information that Tejpal Singh and Gurpreet Singh sons of Manjit Singh.”

3. **Contention**

On behalf of the petitioner

At the outset, learned counsel for the petitioner submits that the matter has been compromised between the parties on the basis of compromise deed dated 22.11.2024 (Annexure P-2), with the intervention of the respectable of the society and the complainant as well as the injured does not want to pursue with the matter any further.

Notice of motion.

On behalf of the State/complainant

Mr. Sandeep Sharma, Advocate has put in appearance on behalf of the complainant and filed his *vakalatnama*, which is taken on record. He admits the factum of compromise dated 22.11.2024 (Annexure P-2) and also endorsed no objection, in case the present petition is allowed and petitioner is admitted on anticipatory bail.

Mr. Jaspal Singh Guru, AAG Punjab, accepts notice on behalf of respondent/State and submits that in the light of compromise entered between the parties, the custodial interrogation is not required at this stage.

4. Analysis

Be that as it may, having given a considerable thought to the submissions made hereinabove especially the fact that the admittedly the matter has already been settled and the complainant endorsed no objection in case, the petitioner is admitted on bail. I am of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner.

5. Decision

Hence, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

'When the High Court or the Court of Session makes a direction under subsection (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.'

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

10.01.2025

Meenu

Whether speaking/reasoned *Yes/No*
Whether reportable *Yes/No*