

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

**CRM-M-12729 of 2020 (O&M)
Date of Decision 04.06.2020**

Amritpal Singh @ Amba and another

.....Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI, JUDGE

Present : Mr. Rajesh Bhatheja, Advocate, for the petitioners.

Mr. Bhupinder Singh Beniwal, AAG, Punjab.

Mr. K.D. Sachdeva, Advocate,
for respondent No.2.

(The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual Court).

ARUN PALLI, J. (Oral):

The petitioners pray for a regular bail under Section 439 of the Code of Criminal Procedure in FIR No 148 dated 3.10.2019, under Sections 379-B/34 IPC, registered at police Station Badhni Kalan, District Moga.

In brief, the prosecution version is that the petitioners, while they were riding a motorcycle bearing No. PB-29L 7303, had snatched a mobile phone, make Samsung Galaxy J2 Pro, from the sister of the complainant, namely Kulwinder Kaur.

Learned counsel for the petitioners submits that a bare analysis of the allegations set out in the FIR shows that implication of the petitioners is apparently false. In any case, he submits that challan has since been presented and the investigation is complete. In reference to the compromise dated 13.1.2020 (Annexure P-2), he submits that in any case the matter between the parties has since been amicably settled. Further, for the petitioners are in custody since 3.10.2019, they are entitled to concession of regular bail.

AMIT KUMAR
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I attest to the accuracy and
authenticity of this document

As oppose to this, learned State counsel submits that nothing is to be recovered from the petitioners, as the challan has already been presented.

Learned counsel for the complainant (respondent No.2) has not disputed the factual position as regards the compromise vide which the parties have resolved their differences.

In the wake of the above, it is deemed just and appropriate to release the petitioners on regular bail.

Accordingly, the petition is allowed and the petitioners are ordered to be enlarged on bail subject to furnishing adequate bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

Needless to assert that this order or any observation made hereinabove shall not constitute any expression of opinion on the merits of the case.

(ARUN PALLI)
JUDGE

04.06.2020

AK Sharma

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No